

PROCEEDINGS

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Opening Business Session

Sunday Afternoon, January 11, 2004

The opening session of the 98th annual Convention of the National Collegiate Athletic Association, held at the Opryland Hotel, Nashville, Tennessee, was called to order at 4:30 p.m., with Executive Committee Chair Carol Cartwright, president of Kent State University, presiding.

OPENING REMARKS

Ms. Cartwright: Ladies and gentlemen, I am pleased to welcome you to the opening session of the 2004 NCAA Convention. I am Carol Cartwright from Kent State University, and chair of the NCAA Executive Committee. I have the pleasure of moderating this opening session and welcoming you to Nashville.

As you have gone about your activities the last few days, I hope you have been aware of our efforts to re-energize this Convention. For more programming to support the additional efforts of today's CEO sessions, the Convention is responding to your request to make it an important gathering of the Association's leaders. I would also draw your attention to the messaging that you see throughout the Convention site. This is part of the conventional advocacy campaign to educate the public about the mission of the Association and its member institutions. Various communications platforms, including television, radio, print and now outdoor advertising, are being employed to bring attention to the unique values of what President Myles Brand has been describing as the collegiate model of athletics. Speaking of our first-year president, whom we will hear more from in a few minutes, it is my pleasure to introduce Dr. Myles Brand, NCAA president. (Applause)

With me today on the dais are the chairs of the three divisional presidential governing bodies. I am pleased to welcome my colleagues, Bob Hemenway, University of Kansas, chair of the Division I Board; and Kay Schallenkamp, Emporia State University, chair of the Division II Presidents Council; and John McCardell, Middlebury College, chair of the Division III Presidents Council. (Applause) We are fortunate that Bob Hemenway will continue to serve as the chair of the Division I Board of Directors for another year. However, Division II and Division III will have new leadership beginning in 2004. I would like to commend our outgoing chair, Kay Schallenkamp, for her leadership to the Association during her tenure on the Division II Presidents Council. Although the final meeting of the chair of the Division III Presidents Council will not be until April, John McCardell has announced his retirement as president at the end of the academic year, although he will remain on the faculty at Middlebury. He will be stepping down as Division III Council chair at that time. Based on the knowledge they have exhibited in leading their respective divisions, I know that they will continue to remain involved in our Association activities. I ask you to please join me now in thanking Kay and John for their service to our Association. (Applause)

MEMORIAL RESOLUTIONS

As has been the tradition during the opening business session, the NCAA will honor athletics staff members and student-athletes who died during this past year with a memorial resolution report. The NCAA is recognizing the individuals who have died by listing their names in the Convention Program and on the screen that you see on both sides of me. We also have given general recognition and observed a moment of silence. In November, a communication was forwarded to all directors of athletics and conference commissioners pro-

viding an electronic link to the NCAA Web site for the names of individuals from an institution or conference who died during 2003. The NCAA News published those deaths in each issue. I would also like to acknowledge substantial and valuable assistance that we have received from Sharon Tufano and Lana McKindra, the NCAA staff members assigned the duties of compiling the list. At this time, I ask you to turn to Pages 27 to 29 in your Convention Program to see the names of 129 staff members associated with athletics, and 49 student-athletes who died in 2003. I ask the delegates and our friends from the media to please stand now and observe a moment of silence for those men and women who have passed away since we last met.

(100

A moment of silence was observed.)

Thank you. If you know of persons who should be added to the list, please contact any member of the NCAA staff.

REPORT OF THE EXECUTIVE COMMITTEE/STRATEGIC PLAN PRESENTATION

It is customary at this point in the opening business session for the chair to present the NCAA Executive Committee report. As fascinating as that report has been in the past, and as much as I know you look forward to hearing it, we are going to dispense with the formal Executive Committee report this year and use the next few minutes to present the Association's draft of the strategic plan. I stress the word draft, because despite all of the many months of work that is represented in the current iteration, it remains a draft open to your input and feedback. The Association's plan will be finalized by the Executive Committee in our April meeting. Before I go further, I want to thank the staff steering committee charged with overseeing the project. This committee has guided it from the beginning.

Challenged by President Brand in his inaugural State of the Association speech a year ago, this strategic plan has been a primary focus of the Executive Committee during the past year. In his comments to this body last January, Myles said the plan must achieve the right level of abstraction and that it cannot be too specific so that it will pre-empt presidential decision-making nor can it be so general that it devolves into platitudes. Most importantly, he said this strategic plan should be value-based. Those were sound words and direction for the planning process.

Throughout the 10 months, the national office staff and the Executive Committee have focused on two objectives—ensuring an open planning process and keeping before us the values of intercollegiate athletics participation. From the beginning, the process was designed to touch as a group a collection of the membership and even the media, if possible. It included many face-to-face planning sessions, involved every affiliated coaching association, sought input from faculty, athletics administration, presidents, commissioners and student-athletes. There was a Web page survey of more than 6,100 individuals to obtain valuable feedback. In all, more than 7,000 individuals have reviewed, contributed to and commented on the document before you. Many of them here today have seen the plan more than once. Every step of the process has been shared with you and with the public through the Association's Web site at ncaa.org. As you registered for this Convention, you received the latest iteration of the plan. This is an installation of all that we have heard. It is a consensus of all the feedback that has been received. As Myles Brand suggested a year ago, it identifies the values that we commonly share, both as an organization and as an individual member. It envisions a future that advocates cooperation between intercollegiate athletics and higher education, and it sets Association-wide goals designed to create that future.

How the plan is implemented, and how the strategy is put in place to meet the measur-

able goals and the Council's objectives will vary, of course, from division to division. That is critical to the federated approach to governance under which we have operated the last seven years. But for the first time in our Association's history, we have a document that represents a broad membership view of intercollegiate athletics and what the Association should look like 10 to 30 years from now with specific goals for moving us along that path.

I am not going to read from the plan, but I encourage you to take time over the next few days to thoroughly read and consider this important draft document. The committee is located in the Delta lobby, where most of you registered. It is staffed by representatives of Tecker Consultants, the strategic planning firm that assisted us in the effort. Please take time to stop and provide your feedback. If I have learned anything over the last few months, I know that we will agree on occasion about the words. Each of us probably would say it differently if we were doing the writing. We have focused on the most significant question. We ask you to think about our concepts. Does it envision in the future the way we want to be? Are our goals challenging, measurable and achievable? We all know that the strategic plan adopted by the Executive Committee in April will not be the last word. The strategic plan will be flexible and adaptable to changing positions, but it will be the best starting point that we can devise.

As a starting point, allow me to share the core purpose that you have said should identify the NCAA as an Association for our future. Based on your input and feedback, you said the NCAA is to govern competition in a fair, safe, equitable and sportsmanlike manner and should integrate intercollegiate athletics into higher education, so that the educational experience of the student-athlete is paramount. This core purpose is an auspicious task of what we have come to call the core ideology of the organization. It is an identity statement that remains in place regardless of other environmental changes.

The second half of the core ideology is core values—essential and enduring principles that guide our Association. The NCAA membership identified seven such principles. You said that the Association through its member institutions, conferences and national office staff care to believe in a commitment to the collegiate model of athletics in which students participate as an avocation, balancing their academic, social and athletics experiences. A second core value is a commitment to the highest level of integrity in sportsmanship. Third, is the pursuit of excellence in both academics and athletics. Fourth, is the supporting role that intercollegiate athletics plays in the higher education mission and in enhancing the sense of community and strengthening the identity of member institutions. Fifth, is an inclusive culture that fosters equitable participation for student-athletes and career opportunities for coaches and administrators from diverse backgrounds. Sixth, is a respect for institutional autonomy and philosophical differences. The final core value is presidential leadership of intercollegiate athletics at the campus, conference and national levels. Those, you have said, are the principles and the values that we share across all divisions of our membership. You also were asked to describe the Association and collegiate athletics in the future, some 20 to 30 years from now. This envisioned future conveys a concrete and yet unrealized vision of the future. Your input led to the seven future descriptions listed in your document.

Finally, you were asked to identify three- to five-year outcome-oriented goals that would move the Association and intercollegiate athletics toward the realization of our vision and would sustain our shared core values. Based on your comments, goals were developed in five sensitive areas:

- The relationship between athletics and the higher education experience.
- The value of the student-athlete experience.
- Enhancement of the governance and decision-making process.
- The effective administration of the NCAA national office.
- Improvement of the collective perception of the Association and of intercollegiate athletics.

Specifically, the following five goals have been developed:

- Student-athletes will be better educated and prepared for increased achievement and success.
- Student-athletes will be enriched by a collegiate athletics experience based on fair and reasonable standards and a commitment to sportsmanship.
- Member institutions and conferences will have access to data, research and best practices that will assist the governance and the management of intercollegiate athletics.
- The national office will be operating in an accountable, effective and efficient manner.
- The public will gain a greater understanding of and confidence in the integrity of intercollegiate athletics and will more readily support its values.

When you review the draft plan, you will see that there are measurable objectives for each of these five goals. I encourage you to read the draft and provide your feedback. Our Association is an extraordinarily diverse organization, and institutions of higher education are ardently independent. Developing a strategic plan that will fully satisfy each and every constituent group is not only daunting, but it is probably likely impossible. Yet, as Myles reminded us last January: “Those who do not plan for the future are destined to be victimized by it.”

Once this strategic plan has been approved in April, our challenge will be to come together in a broad partnership and find the discipline to implement the goals. There will be differences of opinion, but we should always keep our eyes on the single purpose—bringing values to the enterprise of collegiate athletics and to the education of student-athletes. Thank you for your patience and attention to the plan.

It is now my pleasure to introduce our president, Myles Brand, to present our State of the Association address. Just a few days ago, Myles completed his first year on the job as our Association’s fourth executive officer. Fortunately for the Association and for intercollegiate athletics, Myles is no rookie with respect to addressing complex and sometimes very difficult issues. I would leave it to Myles to summarize the past 12 months, but I imagine he has discovered that there is no shallow end to the pool we call intercollegiate athletics. Please join me in welcoming President Myles Brand. (Applause)

STATE OF THE ASSOCIATION ADDRESS

Myles Brand (NCAA President): Thank you, Carol. Thank you for the presentation of the Association’s strategic plan. That is an important initiative for the future of the Association and you provided an excellent overview.

It has been a year since I began serving as president of this great Association. Has it only been a year? It is my honor, seriously, to serve this organization, and I mean that sincerely.

This past year has been tumultuous in some ways; yet, I am pleased with the progress made in a number of areas, and I am energized by the challenges. Much of my year was devoted to learning about the interest of diverse constituencies. I have had the opportunity to make presentations to numerous groups, and I appreciate the welcoming reception I have received, as well as the constructive comments.

Importantly, I am impressed by the commitment to the success of intercollegiate athletics by many, many dedicated people. The passion and professionalism of those who work to make college sports a meaningful component of higher education are truly inspiring.

Today, I want to accomplish two things. First, I will make some selected comments about the past year; and second, I want to articulate, briefly at least, a value-based vision of intercollegiate athletics.

Collegiate athletics is valuable both for student-athletes and their home universities and colleges. That value is diminished or lost entirely if intercollegiate athletics fails to respect and embrace the educational mission of the university or fails to meet the academic and social, as well as the athletics, needs of student-athletes. When athletics programs are inte-

grated into the university's mission and when student-athletes are afforded genuine academic opportunities, there are enormous benefits for all.

In a number of respects, however, we are at a crossroads in intercollegiate athletics. Later, I will address directly what is necessary to follow the path based on the foundational values of higher education, the path that leads toward beneficial results.

First, however, let me address some issues that have arisen this past year. One question that I am increasingly asked is: What is the biggest surprise?

It is not what you think. The expected answer, I imagine, is a description of the difference between being the president of a university and being the president of a national membership organization.

But in fact, the biggest surprise has been the widespread lack of understanding of the nature of the NCAA. I have come to understand that the term "the NCAA" is systematically ambiguous.

It is used often to refer to three different things: First, it can refer to the members, by and large universities and colleges; or second, it can refer to the national office and the staff in Indianapolis; or third, it can refer to the "body corporate," as it were, which includes not only the members and national office staff, but the governance structure, the collected rules and regulations and the investigatory and enforcement functions.

Significant confusion arises when these three meanings of the term "the NCAA" are used interchangeably. For example, it is inaccurate to refer to the NCAA when campus-based decisions are at issue, such as the choice of affiliation involved in conference realignment. It is also a mistake to ascribe blame to a university for eligibility rules that affect a particular student-athlete when these rules are established by the membership as a whole through the legislative process.

As ambiguous as the term "NCAA" can naturally be, I have also come to understand that there is deliberate confusion from time to time—created occasionally by the media but sometimes by the membership itself. The NCAA is handy cover for anything that appears to run counter to common sense or the interests of some person or group.

I have been proposing a simple solution to various audiences the last few months. Let us prescribe that when we mean to refer to the members of the NCAA, we say "the members of the NCAA." When we mean to refer to the national office, we say "the national office of the NCAA." And when we mean to refer to the entire complex of members—national office staff, and the various rules and functions—we should say "the Association." By disciplining ourselves to this explicit terminology, confusion and misleading statements can be avoided.

I want to remind you that last year I said that the focus of the Association—the body corporate—should be the two guideposts of reform and advocacy. Good progress is being made on the reform agenda, and I will return to that issue momentarily.

Advocacy, meanwhile, has enjoyed at least some forward motion, but advocating for the value of intercollegiate athletics to the members of the NCAA and broader population has been made more difficult by several high-profile cases this past year. Most often, these cases involve high-visibility coaches acting badly, though there continue to be instances of student-athletes and even presidents failing to abide by the standards of propriety.

In response, the vast majority of presidents have taken a strong stand in support of the integrity of intercollegiate athletics. They have exposed these bad behaviors and fired coaches when appropriate. Many have done so despite strong negative reactions by the local campus community and fans. I applaud the actions and courage of these presidents.

Many coaches have also reacted admirably to such cases and have affirmed their commitment to ethical and professional standards. For example, the Division I men's basketball coaches, through the leadership of the National Association of Basketball Coaches, came together days before the beginning of the season to re-establish their role as "guardians of the game."

Resolving problems of misconduct, however, removes only some of the barriers for suc-

cessfully advocating for intercollegiate athletics. We also have to push past the tendencies of human nature to be assertive about those things that are wrong while passive about the things that are right.

Key to the advocacy of college sports is articulation of the role intercollegiate athletics plays on campuses and the benefits that accrue to student-athletes.

For men and women in all sports and at all three divisional levels, there is education developmental value in athletics participation. It teaches attitudes of striving toward excellence, teamwork, respect for the rules, resilience, self-discipline, and for making judgments on the basis of performance, not race or gender.

Students and fans alike associate the benefits for such behaviors with lessons for life relevant to their own circumstances. A well-functioning athletics program creates positive visibility for a campus and encourages high morale among those in the campus community.

Above all, intercollegiate athletics serves student-athletes well. There is no question that the vast majority of these students are changed for the better through their participation in athletics.

I have been delivering this message on every occasion afforded me. The national office delivers the message through the office of education services to young men and women and through its public statements, including the public service announcements during championship telecasts.

But we will need to become even better organized and clearer about our goals in order to be successful advocates for intercollegiate athletics. The strategic plan, of course, is where the discussion of goals is best addressed, and I will return to that initiative later.

While our future is being planned, however, we have not sat on the sidelines. There is never a lack of issues in college sports.

One example is the change in culture in the national office—and the Association as a whole—to establish a more flexible and less rigid approach to interpretation of our rules and granting of waivers when appropriate. Student-athletes are at the center of all that we do; and if we want our publics to believe that our core principle is to be supportive of student-athletes, we must be respectful of their situations and their needs.

No matter how carefully we craft our rules, there will be cases that are not directly addressed, ones that fall in the gray area. In the past, the national office and the several membership committees have used a strict approach to interpretation.

If the rule does not explicitly permit an action or a waiver, it is often ruled impermissible. Or where striving for competitive balance clearly conflicts with the best interest of a student-athlete, the strict interpretation has generally favored competitive balance.

The national office is in the process of adopting a “reasonableness” criterion to interpretation and waivers. If the rule does not explicitly permit a favorable response, then sound judgment, taking into account precedent and context, will determine whether the action in question is permissible. This approach tends to give the student-athlete the benefit of the doubt in borderline cases.

The national office is fortunate to count among its staff, including especially its senior staff, highly qualified, fair-minded and smart individuals. We need to empower these persons with the ability to implement this reasonableness approach. That involves giving them psychological permission to move from the strict interpretation approach to the reasonableness one, and it involves increased delegation of authority by the several membership committees.

All this constitutes a cultural change for the Association. During this past year, we have made good progress, but there remains much to do to successfully realize this cultural change.

When we have done so, the Association will no longer be, and be viewed as, a rigid, impersonal organization. Rather, it will be one that respects the value of rules, but also one that

is sensitive to the problems that face student-athletes—sometimes problems not within their control—and is responsive by means of reasonable applications of the rules. Be assured that I am personally committed to reaching this goal.

At the same time, when there are major infractions, the Association must take the necessary steps to investigate and to sanction. Investigations must be timely, so as to minimize adverse consequences to the entire university, and they must be sound. Over the past decade, the number of purported cases of major infractions has increased modestly, but the complexity of some cases has increased appreciably, the latter in part because of litigiousness. The number of national office investigators, however, has remained the same.

In order to process major infractions in a timely and effective manner, we have added a few investigators this year. Over the next year or two, the number of investigators will be increased by a total of approximately 50 percent. We will also review and revise our internal processes so that efficiency and timeliness are enhanced. We will do so without increasing the national office's scheduled budget. Sound, timely investigations and sanctioning, when necessary, are a critical function of the national office and the Association, and we will do it right.

A second example of an initiative begun since last year is the enfranchisement of all constituent groups within the Association. I have had the opportunity on a number of occasions to make this commitment concrete.

One instance is support for Title IX. Last year, Title IX was challenged by the review of a federal commission. Some of the recommendations from this commission threatened to reverse the progress made for the inclusion of women over the past 30 years.

In my view, Title IX was not broken, and it did not need to be fixed. Rather, it needed reaffirmation. Through the hard work of many, some at the national office, many others in the collegiate athletics community, Secretary of Education Paige concurred that no change in the substance of this measure should be made. This result is a major victory for all those who support women's athletics and women athletes.

An additional, very important point emerged from this national debate. The Secretary made clear that it is a disfavored approach to meet the requirements of Title IX to close men's sports programs. That is as it should be. Opportunities for young men should not be diminished as we provide opportunities for women. I fully understand that this ruling by the Department of Education increases the pressure on athletics department budgets. But I am a strong advocate for increasing participation opportunities for students, and I believe that universities and colleges should invest resources to that end.

Another occasion in which the commitment to ethical standards has begged for attention is rectifying the problem of too few black head football coaches. This past year, there were only four persons who are African-American among the 117 head coaches in Division I-A. That is unacceptable, especially given that a large proportion of student-athletes who participate on these teams are African-Americans.

The Black Coaches Association, the BCA, has focused on this issue. A good part of the problem, it seems to me, is that, in some cases, the search process makes it difficult or impossible for new talent to rise to the top. I am pleased that the BCA has incorporated in its plan to hold institutions accountable a focus on the hiring process. We are beginning to see some progress. For example, a hiring breakthrough in the Southeastern Conference, but there is a long way to go before we can claim success.

Similar problems of disenfranchisement exist with regard to women and minorities being appointed as athletics directors, and other high-level athletics administrative positions. Recently, the Southeastern Conference, once again, had a breakthrough appointment. But the fact of the matter is that a great deal remains to be changed before appointments to these positions are based wholly on talent.

These are examples of the state of the Association from an advocacy perspective. They

speak to the value of college sports to the large university experience. Despite the scandalous behavior of a few and the distraction due to the necessary business side of athletics, progress is being made. But much remains to be accomplished.

The reform agenda, by contrast, is making excellent progress. Reform in intercollegiate athletics is a journey, not a destination. It is not the case that once new rules are adopted, reform is completed for all time. Over the approximately 100 years of the Association's history, there have been a number of major reforms. But the environment changes, new problems arise, and old ones, which appeared resolved, re-emerge in an altered form.

In Division III, the presidents have been deeply involved in some of the most far-reaching reform in that division in decades. Beginning two years ago, the Division III Presidents Council has been developing a set of reforms designed to align the athletics programs with their academic mission and the principles of the division. The resultant package of academic reforms is before the membership at this meeting. There are nine proposals that promise to make for lively and, I would guess, sometimes contentious discussion.

But even with the implementation of all or most of the items in the package, the most robust reform efforts may lie ahead. To conclude this phase of the reform agenda, Division III will also have to come to grips with nothing less than the culture of athletics on these campuses.

As Bowen and Levin point out in their recent and important book "Reclaiming the Game," on a number of Division III campuses, an athletics culture has emerged in which student-athletes are no longer fully representative of the general student body. That is a fundamental issue.

Turning to Division I, the academic reform effort has included significant changes in initial and continuing eligibility. Effective this past fall, standards are being strengthened. There is a greater reliance on sound high-school preparation for college. This approach sends a clear signal to both the high schools and potential student-athletes: The bar has been raised, and if you are to participate at the collegiate level, you will need to perform well academically.

The national office will monitor carefully the results of these changes in eligibility and be prepared to recommend refinement, if necessary. For all intents and purposes, this stage of academic reform has been completed.

Historically, NCAA eligibility standards have placed accountability on the student-athlete, as well as his or her parents and school advisors. If the current reform efforts continue as proposed, teams and athletics programs will also be held accountable through a system of incentives and disincentives. The emphasis, we can expect, will be on the disincentives, or sanctions, for poor team academic performance.

Under the proposed guidelines, academic performance is to be measured both by timely progress toward the degree and by graduation. The federally mandated rate is an inaccurate graduation measure and ignores completely interim progress toward a degree. Division I is proposing a new metric for academic progress and an improved one for graduation.

Using these more accurate measures, a progressive system of disincentives will be developed, based on comparative performance of student-athletes nationally and locally. Refinement of this approach continues at this meeting, with the final vote by the Division I Board of Directors in April. I am optimistic that appropriately strong standards and sound procedures will emerge from these discussions.

So, the current phase of the academic-reform journey in Division I is coming to a resting place. No doubt, it will need to be amended some time in the future.

In the end, successful academic reform, at all divisional levels, requires presidential leadership. There are strong forces driving athletics programs toward better and better athletics performance. This is understandable and good: athletics is about winning.

But it is essential that the response to these forces be made in a wider context of the mis-

sion of universities and colleges, which first and foremost are academic institutions. The champion for this mission must be the university president, and to him or her falls the leadership task of balancing the desire to win with both the education of student-athletes and the preservation of institutional integrity.

From the national office perspective, we need to be strategic in our thinking and action if we are to make progress in advocating for the value of college sports. It was for that purpose that I spoke last year of undertaking a strategic-planning process. President Cartwright has reported on the progress of that effort. It has proceeded well, and we are approaching closure on the plan.

The initiatives under way to create a more flexible, “student-athlete friendly” Association and our collective commitment to act on the highest ethical standards of integrity and exclusiveness will be, of course, included in our strategic plan.

The plan as a whole represents a recommitment to the collegiate model of athletics. This is another topic about which I have been speaking in recent months and finding encouraging support. The collegiate model is a value-based template for intercollegiate athletics. It is a vision for the future that must guide us.

Let me make clear what I mean by the collegiate model of athletics. Beyond youth in high-school sports, there are two dominant approaches to sports in America—the collegiate model and the professional model.

The collegiate model is more than 100 years old. The professional approach is a more recent development, but both have become dominant entertainment factors, popular with large segments of the American sports population, attractive to networks as programming inventory, and appealing to the commercial sector as advertising platforms.

But far more important than the similarities are the critical differences between the two approaches. Simply put, the collegiate model is education-based. The professional model is profit-based. The participants in the collegiate model are student-athletes in pursuit of an education. The participants in the professional model represent a labor force in pursuit of a negotiated salary.

In the collegiate model, specific teams are necessarily attached to a college or university. The relationship between a professional team and its host community is far more tenuous. Professional teams do, on occasion, move to a new host community, having been drawn by new stadiums or other benefits. By contrast, the Notre Dame football team cannot, in principle, move to another university. College teams consist of students enrolled in the academic programs of their university.

These differences define the value of college sports to higher education. They also define the danger of allowing intercollegiate athletics to drift without check toward the professional approach.

I do not mean to disparage the professional sports model. It has its place, and it is worthy of support. But college sports must not be allowed to be drawn to the professional model like a moth drawn to a flame.

There is a real threat that the collegiate model will be transposed into a system that more closely resembles the professional sports approach. If this movement continues, college sports as we know it will disappear, and with it, the educational value to student-athletes and the institutional goodwill from alumni and fans.

The danger here is most obvious in Division I, but in fact Divisions II and III are also at risk. The threat is real, and the consequences devastating. I want to go on record in calling attention to this potential disaster.

The changes leading to this threat have been in the way athletics functions within the context of higher education. This is the cultural deterioration of fundamental relationship between college sports and the college campus.

Generally, the changes in the collegiate model have been rather subtle, the result of suc-

cess, in most cases, and the inevitable desire for more success. But as benign as these changes appeared at the time, the cumulative effect is an erosion of the bond between athletics and academics.

The mission of universities is education, broadly understood, and college sports must serve that mission. Intercollegiate athletics is not a freestanding, wholly autonomous enterprise that is located in close proximity to a university. To the degree that athletics programs look and behave like such freestanding enterprises, we have seen the type of drift toward the professional model that will diminish and in the long run will eliminate the value of the program to its university.

If we are to reaffirm the collegiate model and sustain its future within higher education in ways that are valuable to universities, we have to focus on three objectives.

First, we have to recommit to academic success as a primary goal of intercollegiate athletics. Second, we have to respect the concept that the student-athlete is central to the enterprise. And third, we have to reconnect athletics programmatically and financially with the rest of the university.

We cannot just pay lip service to these objectives. We cannot say we are committed and then sacrifice education and the welfare of student-athletes to competitive success and financial return. When we do that, we can fairly be accused of becoming a campus version of professional sports. The end result is not merely a distortion of intercollegiate athletics, but it is also a distortion of the university itself.

Success in sustaining the collegiate model also depends on the willingness and ability of universities and colleges to come together and commit themselves to the values that underlie this approach and to take the necessary steps to act on the basis of these values.

One critically important role of the NCAA as an Association—the body corporate—is to be the forum in which these values are articulated and the platform on which value-based rules of conduct are built. The Association is the central point of contact in sustaining the collegiate model.

For the Association to meet this obligation, it must develop successful cooperative arrangements and agreements among those who have a legitimate stake in college sports. These cooperative arrangements and agreements can rightfully be called “partnerships.” That is, by partnering with the many stakeholders in college sports, the Association becomes the common and central ground on which the collegiate model stands. Partnerships are sometimes difficult in college sports because those engaged in the enterprise are natural competitors with one another. But working for the success of the collegiate model will require that all of us work jointly toward this ideal.

Given that, the NCAA, as an Association, has the responsibility to be the means by which cooperative action is undertaken in support of the collegiate model. In particular, I will pledge the national office as the advocate for cooperative decision-making and action in support of the game. The national office is, and should be, the neutral objective instrument for cooperative action; it is the one element in collegiate sports that is not competitive with others.

Over this past year, I have been pursuing these obligations of the national office. I have articulated this vision of the collegiate model as the future of intercollegiate athletics on numerous occasions in speeches and media interviews, in private discussions and public presentations. I have defended the collegiate model against those who would turn intercollegiate athletics into professional sports. I have also sought to develop the partnerships through the national office that are necessary to sustain the collegiate model.

I intend to continue listening and learning from all our constituents, even after the formal strategic-planning process is completed. To the extent that it is up to me and the national office, there will not be any legitimate stakeholder excluded from intercollegiate athletics.

What should you expect this coming year? Reform and advocacy remain the dual guideposts. In particular, my focus will be in three main areas. First, I will continue to work toward bringing to completion the academic reform agenda. Once completed, reform efforts will turn more directly to issues of student-athlete welfare and to the financial underpinning of intercollegiate athletics.

Second, I will advocate strongly for the collegiate model of athletics. This approach represents our best future, and the role of the national office and the president of the Association is to articulate this vision and to take strong and consistent action in support of it.

Third, sustaining the collegiate model depends on the cooperative action of all stakeholders in college sports. I will work to create and embrace partnerships between the national office and the stakeholders, and among the various stakeholders themselves, so that we are all rowing in the same direction and at the same time.

After a year in the office of the president, I am more convinced than ever that the relationship of intercollegiate athletics and higher education has survived the test of time because those who went before us had the values right. It falls to us—all of us—to see that these values are preserved and that they direct our future actions. I thank you. (Applause)

Ms. Cartwright: Thank you very much, President Brand, for your very thorough review of the State of the Association and for the challenges you present to us for the future. For those of you who may want a copy of the address, it is available online at www.ncaa.org, and it will be reprinted in the January 19th issue of The NCAA News.

Myles, I hope you caught your breath, because I now ask you to return to the podium to present the first NCAA President Gerald R. Ford Award.

PRESENTATION OF THE NCAA PRESIDENT GERALD R. FORD AWARD

Mr. Brand: Thank you again, Carol. It is my great pleasure to present the inaugural NCAA President Gerald R. Ford Award. It is a double pleasure not only because it is a new award and I get to announce the recipient, which I will do in a moment, but also because of the individual for whom the award is named. Gerald R. Ford is best known as the 38th President of the United States, who served during one of the most tumultuous periods of this nation's political history. You may not be as familiar, however, with his days as a student-athlete at the University of Michigan, where he participated on the national championship football teams in 1932 and 1933. He started in every game in his senior year and was voted the most valuable player by his teammates, an honor that any athlete values.

His football talents were also recognized by others. He received contract offers from the Green Bay Packers and the Detroit Lions after his graduation from Michigan. President Ford opted instead to start law school at Yale University and to enter into life as a public servant. America is the beneficiary.

At the University of Michigan, Ford wrote his own chapter in the history of football. He led the team to back-to-back national championships in football. He arrived at Yale University and was on the boxing and football team until he became interested in the law program.

Ford graduated from law school in 1941 at the top of his class, but in a time of international turmoil, he put aside his own dream to practice law to come to the aid of his country. When he returned, he knew he would serve his country well.

He ran for Congress and served notice that one day he would become a great leader of this nation. His name is synonymous with integrity and honor. He assured the nation that he was there every day and he rebuilt the trust that we have. The American people are sensitive to family and community and liked his words. Whether it was to guide the football team or whether it was a law issue, he said athletics was a great positive and that being a

member of the Michigan team was invaluable. From Yale to “Hail to the Chief,” President Gerald Ford is a leader of men, a leader of a nation.

As we all know, President Ford stepped into the presidency at a critical moment in the history of our nation and into the office of the United States President when it was most needed. He exhibited the qualities and integrity and teamwork that was inherent in him as a student-athlete at one of the country’s great universities. He is an example of how athletics in one’s life is a great achievement. Unfortunately, President Ford is not able to be with us today due to travel restrictions placed on him by his physician, but he did want to share a sentiment for having this award bear his name. Representing President Ford and the family today is his son, Jack Ford.

Jack Ford: Thank you all. Needless to say, dad wished he could be here and would love to be with people who love intercollegiate athletics. For those of you who have heard him talk, he would have said that you are too kind and generous in your introduction. But I want to say as his son, I am touched not only by the prestige of this award and the kindness of the NCAA for recognizing his involvement with intercollegiate athletics, but the wonderful, warm welcome that I have received as well.

How important intercollegiate athletics are today. About 10 years ago, I am reminded of when the University of Michigan chose to retire his number and we marched out to the 50-yard line during the Michigan State game, and standing up there was dad receiving the award.

During all the years of the ups and downs, the good and the bad, I had never seen him get emotional. There he stood in the middle of the playing field, his voice cracking for the first time when he said: “Sixty years ago when I stood on this field I never dreamed that I would be here today. There is no institution I love more than the University of Michigan, and at no time in my life did I have more joy as a student and as an athlete.”

So, I think his heart is with you. He can’t be here today, but again thanks and congratulations to Dr. Hesburgh. (Applause)

Mr. Brand: Thank you, Mr. Ford. We pass along our gratitude and thanks to your father for honoring us, for allowing us to present an award in his name. As a Congressman and as a President and a citizen, Gerald Ford is a living advocate for values in intercollegiate athletics. That is the idea behind this award.

The NCAA President Gerald R. Ford Award is created to honor an individual who has provided significant leadership as an advocate for intercollegiate athletics on a continuous basis over the course of his career. I know that President Ford is as pleased as I that the recipient, the first recipient of this award, is Reverend Theodore Hesburgh, president emeritus of the University of Notre Dame.

Reverend Hesburgh is a man of God and a leader of people of this nation for his beloved University of Notre Dame. In 1952, at the age of 35, Reverend Hesburgh was named university president. Before that, Notre Dame needed repair and a staff that needed leadership. It was a time when Notre Dame was best known for its national championship football team. Through his vision and leadership, the University of Notre Dame rose to national prominence in research, scholarships and teaching, and during his 35 years he brought integrity and balance to athletics. He used his platform as president of one of the nation’s leading universities to become one of the most influential figures in American higher learning. He has believed in the true definition of student-athletes. He was a co-chair of the Knight Commission on Athletics, recommending reform in college sports and a belief in a true education. His vision extended beyond the borders of South Bend to a worldwide scope. He had 15 presidential appointments, which were in civil rights, world hunger and atomic energy. Theodore Hesburgh, a man of God, a leader of people.

In 1964, Father Hesburgh was presented with the Medal of Freedom, the nation’s highest honor. In July 2000, the United States Congress presented him with the Congressional

Gold Medal. Father Hesburgh's 35-year career as president of one of the most prestigious universities in this country enabled him to be a major influence on the evolution of higher education in the last half of the 20th century.

It is with great pleasure that I welcome to the stage the first recipient of the NCAA President Gerald R. Ford Award, the Reverend Theodore Hesburgh.

[The assembly extended a prolonged standing ovation.]

Father Hesburgh: Myles, as a fellow Hoosier, I can't think of anyone I am more grateful to than the graciousness of you today and the nice things you say about me and my life is especially meaningful because of this medal being called the Gerald R. Ford Award.

I have known many Presidents of the United States personally, but I have to say that when I look at someone who is so genuine in every way, he was genuine as an athlete, he was genuine as a student, he was genuine as a lawyer and coach, he was genuine as a Congressman in the House of Representatives, he was genuine as a Vice-President, and I particularly thought how true and wonderful and gracious he was as President of the United States.

He began by doing something fairly controversial. He forgave President Nixon for his faults. That doesn't seem controversial to me because I have spent half of my life forgiving people. It is a wonderful thing to do. President Ford didn't stop there. He took on a full panacea of people whose lives had been hurt by the Vietnam War, which had torn this nation asunder. We are not talking about five or 10 people, or even one person here, we are talking about 40,000 to 50,000 people whose lives were rather totally dislocated because of the war and the ensuing controversy. President Ford got together nine of us and work piled up. Our job was to somehow set up conditions so that these people, whether a court-martial or a felony case, might be forgiven and might start life again as a full-fledged American citizen. That was really taking on an enormous world of difficulty and trouble and pain, and yet Gerald Ford took it on and faced it. As a result, all these people today are, I hope, happy American citizens. The greatest cause of unhappiness has been taken out of their lives. They have been given another chance. That is so typical of everything that President Ford did.

I used to have Sunday mornings at the White House where we would get a group of people to do agricultural research in production. We would get together because that was the only time that all of us were free. I had to have service early, but I must say that the result of those Sunday morning meetings was that a country as large as Pakistan, who had run out of food, not only was given enough food to feed its people for the next year, something you rarely hear about now, but on top of that, was given over 60 tons of seed so that the next year they might have the best seed in the world so they could grow their own crops.

That was typical of President Ford—help them now with the trouble they are in, and then give them the means not to have that trouble next year. I think the NCAA shows enormous wisdom to entitle this the Gerald R. Ford Award. I think there are many people more worthy of getting it than I am, and that is not just trying to be humble. I think of so many people like Bill Riley, with whom I have worked for almost 15 years on the Knight Commission, who made a passion of his life in retirement of bringing the university and the collegiate athletics endeavor together.

I must tell you after being in this world for longer than most of you—I am coming up on about 87 years of age—I was proud as I listened to Myles today and his program, and I listened to Ms. Carol Cartwright, what she had to say about this particular meeting, and what I have heard about collegiate athletics and collegiate scholastics coming together, that we are committed as an organization that has been around a long time, that we are committed to seeing that being a collegiate athlete means at least that you will be educated and graduate from your institution.

Perhaps the greatest criticism that can be made of collegiate athletics today is that less

than half of the scholarship holders receive degrees from their colleges and universities. That is going to stop. I can just tell from listening to you, Myles, that we have seen that is a bad thing for collegiate athletics, for universities, for our country and especially for all the youngsters involved. They are human beings. They have goals. They have ambitions. They are our commitment, because they are in the heart of what makes this country and our universities and our colleges great. I can only say thank you very much to the whole organization.

I shall cherish this award. While I say it is more than I deserve and many others deserve it more than I, I would say that I am uniquely honored by having an award named after my dear friend and patron saint in many ways, President Ford, and his lovely wife, Betty. I have to say to all of you that as an old guy that has been around a long time, I can't tell you how heartened I am that I sit here today and listen to so many great ideas for being better—better athletes and better collegiate students. We are having more and more of these young people who give so much joy and enthusiasm in competition. They are going to get what they need most—which every young man and woman needs most—and that is an education. That is the one means for their being what God intended them to become, a human being. They can only become one by developing and growing up and being educated and learning values, and learning how to judge what is true and false in life, and what it stands for and the ambition of making this a finer and finer country, even though it is already the best in the world.

I think it would be hard to judge what all of this activity and reform in the NCAA means to our country. As one, may I say I am proud to receive this wonderful award. I am proud to be associated even remotely with President Ford. I am proud of the NCAA, which I have been critical of at times. I now say it has become even better than I had imagined.

I congratulate all of you on the efforts in this direction. I think I can say to all of you our nation would be better because our athletes are also students. I think all of us in education can sleep a little more soundly at night knowing that our efforts after some years of frustration are finally coming to fruition. I commend our leadership of this wonderful organization for their wisdom, their courage and their faith in moving forward as they are doing. I wish you well. I thank you, and I am most grateful. I will not criticize the NCAA ever again. (Laughter)

[The assembly extended a prolonged standing ovation.]

Ms. Cartwright: Myles, thank you for the presentation. I ask you all to join me again in congratulating both President Gerald Ford for whom this new award is named, and Father Hesburgh, the recipient. (Applause)

Please don't forget that we have our Honors Dinner tonight. Also, please refer to the Convention schedule for details regarding your divisional business sessions and forum. Ladies and gentlemen, thank you for your attention and please enjoy the Convention and your time in Nashville. This session is adjourned.

[The opening business session was adjourned at 6 p.m.]

Honors Dinner

The 39th annual NCAA Honors Dinner was called to order at 7:30 p.m., with Carol Cartwright, chair of the NCAA Executive committee and president of Kent State University, presiding.

INTRODUCTIONS

Public Address Announcer: Ladies and gentlemen, please welcome the 2004 NCAA Honors Dinner honorees. Ladies and gentlemen, please welcome Today's Top VIII honorees. Ladies and gentlemen, please welcome the Silver Anniversary honorees. Ladies and gentlemen, please welcome the Inspiration Award honorees. Ladies and gentlemen, please welcome the Award of Valor honoree. Ladies and gentlemen, please welcome the Theodore Roosevelt Award honoree.

Ladies and gentlemen, please welcome Carol Cartwright, chair of the NCAA Executive Committee and president of Kent State University. (Applause)

Ms. Cartwright: Good evening, ladies and gentlemen. Welcome to the 39th annual NCAA Honors Dinner. Tonight's dinner is truly a celebration—a celebration of the spirit of athletics that lives through the 360,000 active student-athletes today and the hundreds of thousands before them who continue to keep that spirit in their lives. Tonight, you will meet 19 special guests. They each prove that the true definition of an NCAA student-athlete has little to do with statistics. The true definition includes words such as strength, giving, passion and conviction.

But before we begin our celebration, I invite you to enjoy your dinner and the company of those around you. One final but important note, we ask that all guests please refrain from asking tonight's honorees for any photographs or autographs at any point throughout the evening. We will be back shortly to honor tonight's special guests. Enjoy your dinner.

Public Address Announcer: Ladies and gentlemen, again please welcome the 2004 NCAA Honors Dinner honorees. Today's Top VIII honorees: Alice Duesing, Lake Superior State University; Andrew Hilliard, University of St. Thomas, Minnesota; Craig Krenzel, Ohio State University; Theresa Kulikowski, University of Utah; Kara Lawson, University of Tennessee, Knoxville; Eli Manning, University of Mississippi; Onnie Willis Rogers, University of California, Los Angeles; and Kristen Sterner, University of Alabama, Tuscaloosa.

Now, the Silver Anniversary honorees: Trish Millines Dziko, Monmouth University; Bruce Furniss, University of Southern California; Ginny Gilder, Yale University; Stacey Johnson, San Jose State University; Gregory Kelser, Michigan State University; and Kellen Winslow, University of Missouri, Columbia.

The Inspiration Award honorees: Heather Denison, University of Portland; Emily Miller, University of Tennessee at Martin; and Mike Nyeholt, University of Southern California.

Award of Valor honoree: Jimmy Baxter, University of South Florida.

The 2004 Theodore Roosevelt Award honoree: The Honorable Alan Page, University of Notre Dame.

Ladies and gentlemen, please welcome back Dr. Cartwright.

INTRODUCTION OF MASTER OF CEREMONIES

Ms. Cartwright: Tonight, ladies and gentlemen, we have the honor of celebrating the journeys of some amazing individuals. While we could spend the entire evening reliving their amazing feats in their sports, that would only be scratching the surface of what makes

tonight's honorees so extraordinary. To them, teamwork is not just a term they use in competition. It is the foundation of everything they do. The adrenaline they felt during their victories on the field can now be felt when the needs of others are fulfilled, when a young person learns to use the computer, makes her first free throw or when justice is served.

Tonight, I invite you to open your hearts while you listen to their stories. You will no doubt leave this room with a renewed passion for what brings each of us here—the spirit of NCAA athletics.

But before we begin, I would like to introduce a man whose own life journey has been to serve the needs of collegians. Please join me in welcoming the president of the National Collegiate Athletic Association, Dr. Myles Brand. (Applause) I would also like to introduce to you the NCAA Honors Committee, which had the difficult task of selecting tonight's honorees and planning tonight's program: Valorie Richardson, committee chair and assistant commissioner, West Coast Conference; Harry Carson, president, Harry Carson, Incorporated; Clyde Doughty Jr., athletics director, New York Institute of Technology; Jo Ann Harper, athletics director, Dartmouth College; Susan Hartmann, professor of history, Ohio State University; Karen Johnson, director of institutional research, Alfred University; John Naber, John Naber & Associates; and finally Cedric Dempsey, president emeritus, NCAA. Unfortunately, Mr. Dempsey could not be with us tonight, but we would still like to recognize him for his efforts. Ladies and gentlemen, the NCAA Honors Committee. (Applause)

I would also like to recognize a very special guest who joins us tonight. Earlier today, he was honored as the first recipient of the NCAA President's Gerald R. Ford Award. A Congressional Gold Medal recipient, he served as president of the University of Notre Dame for 35 years. Always keeping the endeavors of the student-athlete close to his heart, he serves as an example of tireless dedication and leadership in collegiate athletics. Join me tonight in congratulating Reverend Theodore Hesburgh. (Applause)

Tonight, ladies and gentlemen, we are pleased to have as our master of ceremonies a leader in television sports reporting. He was at the epicenter of the 2003 NCAA women's basketball tournament as the studio anchor, providing scores and commentary on all 63 games. If there is a score to settle, you can look to him to settle it. He hosts ESPN's College Game Day Scoreboard and College Hoops Tonight. He began his broadcast career in his home state of Alabama, graduating cum laude in broadcasting news from the University of Alabama. Ladies and gentlemen, it is my pleasure to introduce tonight's emcee, Rece Davis.

Rece Davis (Master of Ceremonies): Thank you, Dr. Cartwright. It is such a thrill and privilege for me to be a part of this great event and be a part of this wonderful night that all of these people behind me are going to share. I know all of us at ESPN certainly treasure our relationships and other deals with the NCAA to continue to bring you coverage of intercollegiate athletics. On a personal note, as an alumnus of the University of Alabama, I am certainly pleased to continue to foster a relationship of cooperation and commitment, and even more pleased to tell you that I was just told at dinner tonight that I have been ruled eligible to be invited to any post-dinner party that you might have.

These people sitting behind me are truly amazing people. They have reached great heights through journeys as student-athletes and certainly have been in on plenty of touchdowns scored and records broken and championships won. But I think the most special thing about all these people behind me is the fact that it is not necessarily about championships won on the field, but even more so it is about living the life of a champion. It is about taking an opportunity, when you see it, to be able to reach out and to help others, to look for those who might need your help, and to help them down their own rough road. Certainly, that is not always the easiest thing for people to do. It is not the easy way out.

For our young Top VIII honorees tonight, it was early morning practices, classes and in that sliver of actual free time, instead of relaxing, they saw it as a golden opportunity to help others, to do something to give back to their community. For our Silver and Teddy hon-

orees, it is dedicating their life's work to others, not necessarily for fame, glory or fortune, but rather for the chance to open the doors of opportunity, the doors that previously might have been closed, an opportunity to provide a voice so that people who might have been heard in the past will be heard. For our Inspiration and Valor award winners, their journey perhaps is the most amazing of all. Theirs is the journey of the soul and one of willpower to succeed when the mountain in front of them seemed impassable at times, but they found the spirit and the ability to go on.

Ladies and gentlemen, these people we are going to share this stage with tonight and who we are going to share in this room tonight, they are true trailblazers in every sense of the word. They have left large footprints and they have forever changed the landscape as we know it.

TODAY'S TOP VIII

Public Address Announcer: Ladies and gentlemen, let's meet Today's Top VIII honorees.

Mr. Davis: We will start tonight by honoring eight individuals who have already accomplished quite a bit in a short time on this earth. Think about this number for a second. There are more than 360,000 student-athletes right now, and we have eight. Have you heard of the Elite Eight in the tournament? These people are truly the elite scholar-athletes, and you are about to see why.

When her Laker teammates needed points on the board, our first Top VIII honoree had the blueprint for success.

Public Address Announcer: To Alice Duesing, it's all about the mechanics. Feed her the ball, and the points will come. Fast break, free throws or from the 3-point line, Alice engineered her way into just about every Lake Superior State University record category. She finished her career by collecting a record 1,933 points and twice shattered the school single-season free-throw record. Her shooting precision carried her team to a conference tournament championship title and two NCAA tournament appearances. In 2001, her travels with Athletes in Action took her talents around the globe.

Off the court, Alice was also scoring points, graduating with a mechanical engineering degree and a 3.986 GPA. Today, this Division II Scholar-Athlete of the Year and NCAA Postgraduate Scholarship recipient is working toward her engineering Ph.D. at the University of Notre Dame. Success for this star is all by design.

Mr. Davis: You know, Alice has a couple of rounds of congratulations from all of us. She not only has accomplished a lot on and off the court, she has taken on the greatest challenge and the greatest award of all. She was recently married to a fellow Laker alum, Jason Nightingale. Please join me in welcoming Alice Nightingale, from Lake Superior State University. (Applause)

Alice will receive her Top VIII Award tonight from Bill Crawford, director of athletics, at Lake Superior State University. Alice, congratulations. (Applause)

On the track, on the gridiron, or in the classroom, it seems that people are always trying to find a way to keep up with our next honoree.

Public Address Announcer: For Andrew Hilliard, there is only one pace, and that's full speed ahead. On the football field for the University of St. Thomas, Andrew displayed his catch-me-if-you-can finesse, grabbing 147 receptions and scoring 23 touchdowns for the Tommies. And when he wasn't flying with a football in his hand, it was with a relay baton on the track. Here again, he blew past the competition, winning four events at the 2003 conference championships. While his feet were fast, his mind was even faster. This five-time academic all-American and NCAA Postgraduate Scholarship winner quickly added up an almost perfect 3.983 GPA in mathematics.

While Andrew Hilliard was able to teach his opponents a thing or two, it is a class of

eighth-graders that now have to keep up with this math teacher. One thing is for sure, it doesn't seem like Andrew will be slowing down any time soon.

Mr. Davis: Do you have time for baseball, basketball or something else? You couldn't work that in? Ladies and gentlemen, Andrew Hilliard, University of St. Thomas.

Andrew will receive his Top VIII Award tonight from Joanne Andregg, associate athletics director at the University of St. Thomas. (Applause) Andrew, congratulations.

You know, when they need someone with a storybook script in the state of Ohio with the perfect finish, I can think of no better guy than our next honoree. At the 2004 Fiesta Bowl, our next honoree led the charge for the Buckeyes with amazing athletics talent. Perhaps one day, with his molecular genetics degree, he can explain the secret behind his great athletics genes.

Public Address Announcer: It takes more than just good genes to become a champion like Craig Krenzel. It also takes a lot of heart and soul. It was this combination, along with Craig's powerful arm, that brought back the national football championship title to Ohio State University after 34 years in that nail-biting, double-overtime victory at the 2003 Fiesta Bowl. This quarterback walked away as the leading rusher and offensive MVP of the game.

While Craig is famous for his game-saving, fourth-quarter comebacks, off the field his mind is on saving lives. Here his playing field is in the oncology lab, where he works as part of a team searching for a cure for leukemia.

He was recently named the academic all-American of the year and also awarded the 2003 Draddy Award, the "Academic Heisman," a fitting tribute to this pre-med champion. When graduation comes in the spring, the NFL will no doubt come calling for Craig. His calling to become a doctor is sure to be just as strong. But with his great genes, anything is possible.

Mr. Davis: I feel sort of bad about this. A couple of days ago, I told Craig that I was really, really rooting for him not to make it in the NFL. He looked at me a second, and I said: "Okay. So I am being selfish. I have seen you so many times save the Buckeyes, and if you were a doctor, and I am your patient and they are calling me toward that great NCAA Honors Dinner in the sky, and I see the light and come to the light, if anybody can save me, it will be Craig Krenzel." He can pull you out of the fire.

Ladies and gentlemen, Craig Krenzel, from Ohio State University. Craig will receive his Top VIII Award from Andy Geiger, director of athletics, Ohio State University. (Applause)

In the classroom and on the gymnastics floor, our next honoree is the true definition of perfection.

Public Address Announcer: The definition of a perfect 10? The University of Utah's Theresa Kulikowski. This 14-time all-American's amazing high-flying performances were simply perfection. Even as she battled injuries, her performances were flawless.

Theresa received a perfect 10 a record-breaking 14 times during her career. It was under Theresa's leadership that led the UTES to four trips to the NCAA Super Six and made her a three-time individual national champion.

Her perfect 10 performances also continued in the classroom. She graduated summa cum laude with a perfect 4.0, receiving degrees in three majors. A recipient of the NCAA Walter Byers Postgraduate Scholarship, today she is pursuing her dream of becoming a physical therapist.

And how does Theresa continue this level of perfection in her life? It's simply part of her routine. (Applause)

Mr. Davis: Ladies and gentlemen, Theresa Kulikowski, University of Utah. Theresa will receive her Top VIII Award tonight from Chris Hill, director of athletics, University of Utah. (Applause) Theresa set the bar pretty high.

Our next honoree knows a little something about dealing when the bar has been set high. His father was a legendary figure throughout football, and his brother has been pretty good

in the NFL in the playoffs. You know, that can be a difficult thing when the bar is set so high and the expectations are so high. This guy, his future is so bright and his accomplishments so vast up to this point, stands in the shadow of no man or no Manning.

Public Address Announcer: When the University of Mississippi's Rebels sailed into the Cotton Bowl this month, a captain with a golden arm was "Manning" the ship. Quarterback and team captain Eli Manning fires a football with deadly accuracy. And with it came rich rewards such as the Johnny Unitas Golden Arm Award, Maxwell Award and a Heisman Trophy finalist.

While Eli led the charge on the field breaking 45 Ole Miss records, he is also a rebel with a cause. You can often find him in a sea of school children reading a book as part of the Reading with the Rebels Program.

An academic all-American, he stresses the importance of staying in school with NCAA-sponsored public service announcements. An award-winning football player, honor roll student and community leader, it is easy to see how Eli Manning has made a name for himself.

Mr. Davis: Ladies and gentlemen, Eli Manning, University of Mississippi. Eli will receive his Top VIII award from Karen Schiferl, assistant athletics director for academic support at the University of Mississippi. (Applause)

I look forward to seeing those head-to-head battles with his brother in the NFL. Won't that be fun?

The coach says this honoree can bring the crowd to its feet with just her smile. I know what you are thinking, that is not what you are supposed to say. Wait until you see our next honoree smile and hear all the things that she has got to smile about.

Public Address Announcer: With that famous 1,000-watt smile, Onnie Willis Rogers can light up the stage as she is flying above it. She proved that there is powerful talent behind the smile, becoming UCLA's first-ever NCAA all-around champion in 2001.

A three-time team captain, Onnie was the commanding force behind UCLA dominating the world of collegiate gymnastics by bringing home three NCAA team championship trophies. She is the most-honored gymnast in UCLA history, collecting a record 16 all-American honors.

But Onnie also gives other reasons to smile. To help open the doors of education, she works with inner-city children by giving them a tour of the campus and treating them to a Bruin sporting event. In fact, Onnie has dedicated her course work to children.

After graduating, she plans to become an elementary school teacher. Behind that dazzling smile is the spirit of a champion and a role model who has given us all something to smile about.

Mr. Davis: You thought it was Mary Tyler Moore who could turn the world on with her smile. Look at that. Onnie Willis Rogers, UCLA. Onnie will receive her Top VIII Award from Betsy Stephenson, senior woman administrator, UCLA. (Applause)

Our next honoree has been described as unassuming, laid-back and low-key. But that did not stop her from leading the tide, in this case, the Crimson Tide, to a national championship.

Public Address Announcer: Don't underestimate her quiet demeanor. Dubbed "The Quiet Storm" when she blows into town, Kristen Sterner is a one-woman tornado, twisting and flying her way to victory. Leading the gymnastic powerhouse of the University of Alabama, Kristen collected 11 all-American honors and led her team to two Southeastern Conference championship titles and a 2002 NCAA championships victory.

Her supernatural force on the gymnastics floor also followed her into the classroom, where she was named the conference's scholar-athlete of the year and was a top-10 finalist for the NCAA Woman of the Year.

An NCAA Postgraduate Scholarship winner, Kristen graduated last month with a 4.0 grade-point average. She now has her eye set on medical school specializing in family med-

icine. Once called the “Quiet Storm,” Kristen Sterner is truly the “Perfect Storm.”

Mr. Davis: High Tide for Kristen Sterner, University of Alabama, Tuscaloosa. Kristen will receive her plaque tonight from Dr. Robert Witt, president of the University of Alabama. (Applause) Kristen and her teammates are helping to turn Alabama into a gymnastics school now. (Applause)

When our final Top VIII honoree began her basketball career at the University of Tennessee, she had a goal for herself. It had little to do with basketball. It had everything to do with helping other people.

Public Address Announcer: Her teammates call her “K-Law.” Her opponents call her unstoppable. Kara Lawson’s explosive accuracy from the three-point zone carried the University of Tennessee Lady Vols to three NCAA Final Four appearances.

While her goals on the court were impressive, it was her goal of completing 100 community service projects that made her a true champion. Weekly trips to the local elementary school were as important to her as drills on the court or assignments in the classroom.

This NCAA Woman of the Year top-10 finalist was named the University of Tennessee’s Torchbearer. After graduating magna cum laude, she traded her beloved orange and white for the purple of the WNBA’s Sacramento Monarchs. Her rookie season ended with her being named to the WNBA’s select team.

No matter how many goals Kara Lawson makes inside the basketball arena, she knows that the goals she sets to help others are the most important.

Mr. Davis: I am going to let them in on your next goal, Kara. You can stick with me as your agent for a moment. Somebody in this room is going to hire Kara some day to be an athletics director.

Kara Lawson, University of Tennessee. (Applause) Kara will receive her Top VIII Award from Pat Summit, head women’s basketball coach, University of Tennessee. Kara has the ability to be objective. She knows I went to a school in Alabama. She knows I live in Connecticut, and we get along just fine anyway. On behalf of our top honorees, Kara Lawson.

TODAY’S TOP VIII RESPONSE—KARA LAWSON

Kara Lawson (University of Tennessee, Knoxville): Thank you, Rece. It is very good to be with all of you this evening. I would like to thank God for the opportunity to be here and for the blessing of family and friends. I am honored to have been chosen to represent these incredible men and women seated on the stage with me.

On behalf of my fellow award winners, I would like to thank the NCAA for its tireless work to make the student-athlete’s experience the best it can be. I would like to thank the NCAA Honors Committee for our selections as the Top VIII honorees. Having our names etched into this amazing fraternity is a very special moment for each of us, especially when you look across the country at the number and success of other student-athletes.

During our collegiate careers, we have represented our universities in an extraordinary fashion, whether it was in our respective playing arenas, in the classroom or in the community. This would not have been possible without the help of countless people who gave their all on our behalf.

To our families, who provided the foundation on which we base our decisions and who instilled the discipline that has made it successful; to our coaches, who enhanced our skills as athletes, but more importantly as people; to our teammates, who taught us that the strength of the wolf really does lie in the pack; to our institutions, which have afforded us the opportunity and support to excel in all areas, we thank you.

There is something unique that lies within each of these athletes, something that is their fabric that allows them to demand excellence in every phase of their lives, to refuse to be

average. It is this trait that was manifested that wins championships, that alters the landscape of communities, that inspires others and ultimately leads to success. That type of success is a choice. It is a commitment made every day before every decision. I applaud my fellow honorees for making the concerted effort to do just that. As leaders on our teams and campuses, we are charged with the responsibility of helping others realize their potential. Leadership is appreciated and is expected, but most importantly, it is necessary. Our new challenges have carefully nurtured the seeds that have been sowed during our college years and now continue to grow in ourselves and plant more seeds within our respective communities.

I hope our legacy as we move on to the next phase of our lives will be one of service, excellence and leadership—those same qualities we were able to display during our collegiate careers.

In closing, I would like to once again congratulate all of the honorees and their families. May God continue to bless you. Thank you. Enjoy the rest of the evening. (Applause)

Mr. Davis: You know, with all the negative things we hear in the news sometimes about young people, you wonder about the direction of our society. How much better do you feel about our future leaders after seeing these eight young men and women tonight? I would like all of you to stand one more time, all eight of you, please.

[A prolonged standing ovation was given to the honorees.]

INTRODUCTION OF SILVER ANNIVERSARY AWARDS

Public Address Announcer: Ladies and gentlemen, let's meet tonight's Silver Award honorees.

Mr. Davis: Taking off that uniform can be one of the toughest things that one has to do. For the next six people you are about to meet, that didn't stop them from scoring great victories.

It is no longer a touchdown scored or a personal-best time broken that brings the adrenaline rush back to these winners. Now, it is getting computers into the hands of children, it is calling in favors to help raise money for charities. In short, it is an opportunity to open doors of opportunity for others.

It has been 25 years. A quarter of a century, you know, is not that long. I am getting close myself. It has been 25 years since graduation for these folks, but success has followed them every step of the way.

As a three-sport athlete, our first Silver Anniversary honoree made plenty of headlines during her sports career, but it is what she now does for others that she has been able to obtain the goal that is coveted in our society perhaps more than any other. She has been on the Oprah Winfrey Show.

Public Address Announcer: Growing up without a father and losing her mother as a young teen, Trish Millines Dziko turned to sports. Not only were they an outlet for her, they turned out to be her ticket to college.

Trish arrived at Monmouth University with her basketball, volleyball and softball equipment, along with an athletics scholarship. As a three-sport athlete, it is easy to see that Trish felt at home on the court.

While sports opened the doors for her, she is making sure that computers can do the same for others. After working at Microsoft for 15 years, Trish left in 1996 to create her own company. She started the Technology Access Foundation to bring computer technology and training to minority children. Already, more than 500 children in the Seattle area have been a part of Trish's high-tech world.

Now if one of her young proteges is called a computer whiz, then Trish can smile knowing that she has changed the future of technology, and that is certainly worthy of a head-

line. (Applause)

Mr. Davis: Ladies and gentlemen, Trish Millines Dziko from Monmouth University. Trish will receive her Silver Anniversary Award from Paul Doughty, chairman of the board of trustees at Monmouth University. (Applause)

Some may call it a case of sibling rivalry, but this honoree was just simply that fast when he broke his own brother's world record. But it was nothing personal. You see, in the pool, there were a lot of records that got torched in the "Furniss."

Public Address Announcer: As one of the world's greatest swimmers, Bruce Furniss was like lightning in water. He was simply electric. In his wake, he lit up an amazing 19 American records and 10 world records. He captured six national championship titles, leading the USC Trojans to two NCAA team championships.

At the Montreal Olympic Games, Bruce once again set the competition ablaze with his lightning fast speed, bringing home two Olympic gold medals. Not wanting to give his opposition even a mental advantage, it wasn't until after the Olympic Games that Bruce revealed that since high school he suffered from debilitating arthritis in his back and spine.

His struggle to win despite his pain has led him to help others. He has helped raise more than \$3 million for physically challenged athletes and serves on the Los Angeles chapter of the Arthritis Foundation. He may have started his career shattering records, but today he is lighting a trail to help break barriers for others.

Mr. Davis: Bruce Furniss, University of Southern California. Bruce will receive his Silver Anniversary Award from his former University of Southern California swim coach, Peter Daland. (Applause) Bruce, congratulations.

On this honoree's company Web site is a quote by Anne Frank. It reads: "How wonderful it is that no one need wait a single moment to begin improving the world." For our next honoree, these are the words she lives by.

Public Address Announcer: When Ginny Gilder took to the water, she didn't wait a single moment to make a splash in the sport of rowing. A three-year member of Yale University's rowing team, Ginny earned a spot on the 1980 and '84 Olympic teams.

It was at the 1984 Olympic Games where she captured the silver medal as the stroke in the quadruple sculls. Today, instead of heading for the water in the early morning, you can find this former two-time U.S. national team member headed off to help others.

She shares her vision and creativity with nonprofit and public service organizations helping them better serve the community. There is no better example of giving back to others than Ginny herself. She provided the lead gift to her alma mater to build a new rowing facility.

As is her spirit, she also included funds for a community youth rowing program, proving again, that Ginny, living the words of Anne Frank, doesn't wait a single moment to begin improving the world for others.

Mr. Davis: Ginny Gilder, Yale University. (Applause) Ginny will receive her Silver Anniversary Award tonight from Barbara Chesler, senior associate athletics director, Yale University. (Applause)

I have noticed that the ladies are getting the Silver Anniversary Awards just the same as they did in college. What happens to you guys? It is not working out the same.

Making the Olympic fencing team by just one touch, this honoree was denied the chance at Olympic competition due to the 1980 boycott of the Games. But if you think that dampened her Olympic spirit, you have missed the point.

Public Address Announcer: Stacey Johnson never takes her eyes off her target. Even behind her mask, you can feel the determined spirit. Her swift finesse on the strip made her a four-time all-American and a two-time national champion at San Jose State University. By just one touch, she was named to the 1980 U.S. Olympic team.

With foil in hand, she went on to become a three-time United States national team cham-

pion. Even today, the thrill of competition still runs vigorously through her soul. She works tirelessly for today's Olympic hopefuls by serving on the United States Olympic Executive Committee and as president of the United States Fencing Association.

Along with being inducted into her university's sports hall of fame, Stacey's dedication to her community landed her in the San Antonio's Women's Hall of Fame, proving that even without a sword in hand, her example of working for the good of others makes a huge point to all those around her.

Mr. Davis: Ladies and gentlemen, please welcome Stacey Johnson from San Jose State University. (Applause)

Stacey will receive her award tonight from Carolyn Lewis, former senior associate athletics director and senior woman administrator, San Jose State University. (Applause) Congratulations.

You know, the recruiting season in football is in full swing right now. I know that some of you might be quite aware of this. In these days, guys are being identified as prospects as juniors, sophomores and even earlier in some cases.

It is hard to imagine that this legendary figure in football didn't even play the game until his senior year in high school. Rather than breaking down how exactly quarterbacks and receivers did things, he was busy working out with the Rooks, Knights and Pawns.

Public Address Announcer: Growing up in a house with seven kids, you need fast hands. In Kellen Winslow's case, his hands were more likely wrapped around chess pieces than a football. But his deadly combination of a quick mind and fast hands created a football legend.

At the University of Missouri, he led the Tigers to three winning seasons and a trip to the Liberty Bowl. In 1979, it was off to the San Diego Chargers, where Kellen's performances are still legendary. In just one season, this five-time Pro Bowl player's magic hands caught 89 passes.

But even as he was catching the football, his mind was already strategizing his next move—law school. His dedication to equality and justice landed him at the helm of the Fritz Pollard Alliance, where his game plan is to foster opportunities for minority members at all levels of the NFL.

When he is not in the studio as a college football analyst for Fox Sports Net, you are likely to find Kellen at the Jackie Robinson Family YMCA playing chess with the kids. As far as success goes, for Kellen Winslow, it's checkmate.

Mr. Davis: Still the best tight end in his family, Kellen Winslow from the University of Missouri. (Applause) Kellen will receive his Silver Anniversary Award from Mike Alden, director of athletics, University of Missouri. (Applause) Kellen, congratulations.

Have you seen these "What If" commercials? What if Franco Harris didn't make the immaculate reception, and it goes on down the line and down the line until finally it meant that Joe Montana is hosting a game show? What if no one was there or the right guy wasn't there to catch the passes from Magic Johnson? Maybe Michigan State doesn't beat Indiana State, maybe the tournament doesn't explode as that classic season in 1979.

Before his family finally settled in Detroit, our final Silver Anniversary honoree, the son of a military man, attended 11 schools in nine years. But there was a constant, and it was basketball.

Public Address Announcer: With an over-the-shoulder pass from Magic Johnson, Greg Kelser slammed the ball through the hoop and sent Larry Bird and the rest of the Indiana State team packing. Kelser and his Michigan State team stayed and celebrated the 1979 NCAA championship victory.

Number 32 is now retired in the Breslin Center rafters but "Special K's" legend lives on. Twenty-five years later, he is still the number one all-time Spartan rebounder. His stellar professional career included stops with the Pistons, Supersonics, Clippers and Pacers.

Greg is still never far from the center court as a network basketball color commentator

and broadcaster. In his home city of Detroit, he directs free summer basketball clinics for inner-city youth. But to the youth he serves today, with or without a basketball, there is something special about Greg Kelser.

Mr. Davis: You were 32 first, right? The 32 is not out there for Magic. He was 33. Number 32 belongs to Greg Kelser from Michigan State. Greg will receive his award from Ron Mason, athletics director, Michigan State University. Congratulations, Greg Kelser. (Applause)

Greg was supposed to speak tonight. He has been a broadcaster for Fox Network for five years. He was supposed to be doing the Mavericks-Piston game tonight. We are most thankful he has been excused from that duty tonight to spend the night with the Silver Anniversary Award winners.

Greg.

RESPONSE—SILVER ANNIVERSARY AWARD WINNERS

Greg Kelser: Thank you very much, Rece. This is really overwhelming. I am honored to be here. To Dr. Cartwright and members of the NCAA Honors Committee, on behalf of all of tonight's award winners, I would like to thank you for this most prestigious recognition. It is indeed an honor for me to represent the Silver Award honoree class of 2004.

I was privileged to attend the NCAA Convention in New Orleans as one of the Top V winners, as it was called then. I remember vividly marveling at that year's Silver Anniversary winners and their impressive list of achievements and things they did to benefit others. Never did I imagine that I would one day be invited to be a member in such a group. I guess for Ginny, Trish, Stacey, Kellen, Bruce and myself, our presence here tonight can only mean two things.

Number one, we have made many positive contributions. Number two, we are getting old. Getting old is, however, a blessing. The older I get, the more wisdom I attain. It becomes increasingly obvious. Occasions like this do tend to shine a very bright light on us as honorees. The truest reflection, however, can be found with all of those who have over the years nurtured, taught, disciplined, loved and cared for us. Without a question, for me, it was Verna and Walter Kelser, my parents who served as my greatest role models. Their love lessons and sacrifices are the reasons that I am here tonight. I thank God for them every day.

I also thank Him for the many extensions of my parents—my teachers, my coaches and the many others who were placed along the path and whose genuine interest in my well-being helped smooth the way. My parents supported athletics, but they stressed academics. That philosophy continued when I left home in the fall of 1979 to attend Michigan State University. There, instead of my parents, was the likes of Gus Ganakas, my first coach, who would be replaced after my freshman year, but who also while in the midst of a great personal crisis, cared enough to convince me that with or without him, Michigan State was the place that I should be.

My second coach, Jud Heathcote, a man who often worked me unmercifully, but he helped me to understand that in order to reach your full potential, you had to be willing to work beyond good enough. These men, along with Silas Taylor, my academic adviser, helped make sure that my studies kept their rightful place at the top of my list of priorities. With a support system like that, when I left Michigan State, I was fortunate enough to be a member of an NCAA national championship basketball team, an all-American and an academic all-American. Once again, that light, however, was shining brightly on me.

The truest light, however, could be found with the many others who cared and did so much. Dr. Martin Luther King said once: "Everything we see is a shadow cast by that which we do not see." He was also known to have said on many occasions: "Life's most persistent

and urgent question is what are you doing for others?”

Clearly, participation in sports provides a very visible platform from which we can have a positive influence on others. In truth, we are all role models, every single one of us. I don't think we have a choice. The only question is what type of role model are we going to be? From whatever platform we have, my hope is that we will all revel in our opportunities to be that reflection for someone else's light.

To my wife, Donna, my mother, Verna, my mother-in-law, Elaine, and the members of my Michigan State family, athletic director Ron Mason, associate AD's Mark Hollis, Jim Pigmataro and Jennifer Smith, and my first coach, a man who believed, Gus Ganakas, I want to thank all of them. And on behalf of the award winners, thanks for all of your support and for being here tonight. I wish to thank all of our families and the support people for being here tonight.

Finally, and again on behalf of the Silver Anniversary class of 2004, we accept this award with sincere gratitude. To everyone, the best in the new year. Thank you very much. (Applause)

Mr. Davis: Greg Kelser. You can see why Greg is so good at this. You know Jud wouldn't have hit himself in the forehead one time if you had done that. Greg never made him do that. I would like for all of our Silver Anniversary Award winners to stand so we can give them a round of applause.

[A prolonged standing ovation was given for the honorees.]

INSPIRATION AWARD

Public Address Announcer: Ladies and gentlemen, let's meet tonight's Inspiration Award Honorees.

Mr. Davis: This award may be presented to a current or former athlete, coach or administrator, who has faced a life-altering situation with the spirit of a champion. Tonight, we are going to meet three such extraordinary people whose journey brought them to an unexpected and sometimes tragic place in life—a place where the victories were really the victories of the spirit. They are examples of true inspiration and of hope.

When her father left the family, Heather Denison's mother faced a mountain of responsibilities that seemed to overtake her. But as a young child, Heather could always rely on her grandmother to smooth the edges of her sometimes harsh existence. It was her grandmother who treated her to special meals, took her to special places, and basically blanket-ed her with love. But it was on one of those outings, 7-year old Heather and her grandmother, hand-in-hand, stepped up on the curb only to have her grandmother's hand ripped away. A car had not seen the pair and killed her grandmother instantly.

The accident pushed Heather's mother into a state of despondence, depression, alcohol abuse, mental illness and finally, homelessness. It was during this dark period that Heather's mother would disappear for as many as five days at a time. Heather, a young girl, just 10 years old, learned to survive by cooking for herself. She was learning the public bus system and coping with schoolwork alone.

Finally in high school, Heather found a home with a friend's family in a life that offered none. It was in sports that Heather found structure, familiarity and comfort. So she played everything she could.

Specializing in volleyball, Heather received scholarship offers from six universities. Today, this all-conference volleyball player, Heather Denison, a truly inspiring young woman, will graduate with not one, but two degrees, in biology and nursing, from the University of Portland in 2005.

Ladies and gentlemen, Heather Denison from the University of Portland. (Applause)

Ladies and gentlemen, Heather will receive her Inspiration Award from Father E. William

Beauchamp, president of the University of Portland. (Applause) Our first Inspiration Award winner, Heather Denison.

RESPONSE—HEATHER DENISON

Heather Denison: I would like to thank the University of Portland and the athletics department for my nomination for this great award. I would also like to thank the NCAA Selection Committee for being here tonight. I owe my achievements to many individuals, friends, coaches and numerous family. But most of all, I owe my success to my ongoing participation in athletics.

I have been on numerous teams and I have had so many dedicated coaches. It is this structure that has kept me on the right path and has given me the opportunity to turn what most consider misfortune into a platform from which to rise. I am standing here today because I was embraced by so many. They saw strength in me and knew that I had the ability to use my academic and athletics talents to make a better future for myself. I am forever grateful for the generosity and the support that I have received from the families who have opened their hearts and their homes to me.

To my coaches and the athletic staff at the University of Portland, I say thank you. They have taught me what people can achieve when others believe in them. I now know that with perseverance and courage we can rise above anything. I hope that my success can be an example for many. You are only as strong as you think you are and all dreams are possible. Thank you. (Applause)

Mr. Davis: What a remarkable story.

In just two years on the soccer team at the University of Tennessee at Martin, Emily Miller has already made a name for herself. Her teammates affectionately nicknamed her “Mom” because she was always making sure that her teammates were taken care of. But near the end of her sophomore year, it became apparent it was Emily who needed care. In April, a persistent pain in her left leg became unbearable. She went home to see her doctor, and soon thereafter, she was admitted to St. Jude Children’s Research Hospital with bone cancer. Doctors were forced to remove several leg bones, and in their place a titanium prosthesis was implanted.

The young girl, who once so skillfully had maneuvered a soccer ball anywhere she wanted it to go, now had to learn to walk again. While her body fought to regain its strength and mobility, Emily came up with a new game plan, a new goal. She was ready to help her new teammates, her fellow cancer teammates. Even though her body was weak, her voice was a powerhouse. She became a spokesperson and a fund-raiser for St. Jude Children’s Hospital. Her teammates back at school were right behind her. They organized a run to raise money for the hospital in her honor.

Even though she was still going through grueling chemotherapy, after that run was over, at the finish line, you know who was there? She greeted each one of the runners and thanked them. It was Emily. That is the motherly way she had about her that makes her one of our Inspiration Award winners. Emily Miller from the University of Tennessee at Martin. (Applause)

She will receive her award tonight from Phil Dane, athletics director at the University of Tennessee at Martin. (Applause)

Emily, congratulations. Ladies and gentlemen, Emily Miller.

RESPONSE—EMILY MILLER

Emily Miller: First of all, I would like to say thank you to the NCAA Honors Committee for finding me worthy of this award, to my athletics director for believing enough in me to

nominate me, my teammates for treating me like I never left, and my family for their sacrifice and support.

My cancer only has a 70 percent survival rate, so when I was diagnosed last April, I had to make a conscious decision about whether I was going to lie there and die, just lie there and survive, or get up and win. I chose to win. Early in my treatment, I read cancer survivor Lance Armstrong's "My Journey Back to Life." It is not about the bike. One of the quotes in that book has stayed with me through this whole thing. A friend of Lance said to him: "I think you were fated to get this type of illness. One, because maybe you could overcome it, and, two, because your potential as a human is so much greater than being a cyclist."

I think perhaps we are all destined to be something greater. Although I am not a cyclist, I feel like I have finally found myself in the world. I know what I am supposed to do for myself, and I know I am destined to help others. All of a sudden, I have a new purpose in my life and it has nothing to do with recognition, praise or even soccer. It has to do with this undefinable urge I have to help people in my situation and make them aware that they too can choose to win.

In my mission to help others like me, I have undertaken the job to raise funds for St. Jude Children's Hospital in Memphis, Tennessee. No family that enters the doors of St. Jude has to pay a single penny. To all the people who have been instrumental in my survival, I thank you. As Danny Thomas, the founder of St. Jude Children's Hospital once said: "No child should die in the dawn of life." Thank you. (Applause)

Mr. Davis: As a three-time all-American, our next Inspiration Award winner swam along with his fellow USC Trojans to two national team championships. But even at the height of his celebration, there was no way that Mike Nyeholt could have known that his greatest victory in the pool had yet to occur.

A motorcycle accident in 1981 not only left Mike battered and bruised, but paralyzed. His USC teammates, both past and present, then rallied around him. In just three months, they organized a fund-raiser with the simple hope of raising enough money to purchase a specially equipped van for him. A swimathon aptly called "Swim for Mike" drew more than 250 swimmers, including 14 Olympic medalists. More than enough money for the van was raised, and there was plenty leftover. Then the question became what do we do with the rest of the money?

It was then that this honoree came up with not one, but two ideas. First was to use the extra money to create a fund for physically challenged athletes at USC. The second idea was also a promise. Make the event a yearly fundraiser, but they had to change the name. He didn't want it to be "Swim for Mike" anymore. Instead it would be "Swim with Mike." Both promises were kept. Today, "Swim with Mike" has raised more than \$3.5 million, helping pave the way for others to overcome their tragedies.

Now he can sit back and watch hundreds swimming for charity. Mike knows that the best victory in the pool isn't necessarily about coming in first—it is about calming the waters for others.

Ladies and gentlemen, Mike Nyeholt, from the University of Southern California. He will receive his Inspiration Award from friend and former Trojan teammate, John Nabor.

Ladies and gentlemen, Mike Nyeholt. (Applause)

RESPONSE—MIKE NYEHOLT

Mike Nyeholt: You can obviously tell I am not as young as the two previous recipients. Actually, I am older than the 25-year guys.

First of all, I would like to say what a privilege it is to be included in the program honoring so many current and former NCAA athletes for their accomplishments, both during and

after their collegiate athletics careers. I want to thank the NCAA and the Honors Committee for selecting me to receive this wonderful award, and my good friend and former teammate, John Nabor, for presenting it to me. It is probably safe to say that all of us on the stage today have many times in our lives been recognized for our athletic achievements.

For me, I can honestly say that the pride I take from my athletics accomplishments pale in comparison to the pride that fills me when I think about the successes of “Swim with Mike.” All of the athletes competing within the NCAA were blessed with a gift of athletics ability. We all had the opportunity to develop that gift and to ultimately leverage it into scholarships, national championships and Olympic medals for many professional careers. Unfortunately, for some, the opportunity to benefit from athletics has been cut short. It is for these individuals that the Physically Challenged Athletic Scholarship Fund was created. Because of this fund, young men and women who have suffered a debilitating injury have another option to receive an education and ultimately make their contribution to society.

Over the past 23 years, “Swim with Mike” has raised in excess of \$4 million. We have awarded scholarships to 46 individuals and currently we have 12 recipients enrolled at USC, BYU, Hawaii, Southwestern Law School, the University of California, Davis, the University of Nebraska, Wesleyan, and Bucknell. It is our hope that as our fund-raising efforts continue to grow, many more of the institutions represented here today will welcome one of our recipients on their campus.

Let me close by thanking my parents, who I love very much, for bestowing in me the fortitude to overcome the obstacles placed in my life and the strength to turn negative events into positive outcomes. I thank the University of California and its athletics department for their continued support of our event. Finally, I thank my former USC swimming teammates, all of whom are here tonight, for their help in organizing the original “Swim for Mike” and for their continued support of “Swim with Mike.” Thank you all very much. (Applause)

Mr. Davis: Let’s give a round of applause for all these outstanding people.

[A prolonged standing ovation was given for the honorees.]

PRESENTATION OF AWARD OF VALOR

Public Address Announcer: Ladies and gentlemen, let’s meet tonight’s Award of Valor honoree.

Mr. Davis: The Award of Valor, as its name suggests, it is an award of bravery and courage. We often throw those two terms out in the sports world—to a guy who completes a pass on 4th and 26, a 3-pointer at the buzzer, or a gymnast who sticks a landing in the clutch. We talk about what a courageous performance it was. Maybe in the field of competition that is not totally inaccurate. There is certainly another level to it. This award can go to a former or current student-athlete, coach or administrator, and tonight it is awarded to an amazing young man.

As an all-American track and field star and a leading scorer on his basketball team, Jimmy Baxter has plenty of teammates. But really to him, everyone is a teammate; everyone is family. In fact, he himself said that we all share a family, the family of man.

One rainy night in December, Jimmy was driving along a highway in Florida. The rain came down torrentially. He saw up ahead on the highway a car hydroplane, overturn and end up in the drainage ditch. He didn’t know the occupants in the car, but he did know they were part of the bigger family and they needed his help. Inside were two men, a son and father. The car was quickly filling with water. Jimmy tried to use an umbrella to smash out the window in order to get them out of the car, and he couldn’t break it. Then he used his size 15 boots and tried to kick out the window. It wouldn’t break. He ran out to the highway to flag down some more help.

One by one, the cars drove past. Down below, the water was rising up to the necks of

the men. Finally, a man stopped and handed him a crowbar. Jimmy used this to smash the windows and pulled the two men to safety. When the ambulance arrived, rather than sit there and wait on the local news team to arrive, the satellite trucks come to interview him about his act of bravery, instead, Jimmy Baxter got in his car and drove away.

The two men finally got a chance to meet him and they wanted to know what they could do to repay him for saving their lives. What he told them was: "How about coming to a basketball game and cheering for us. You can sit in the front row."

The front row is usually reserved for family members and reserved for friends. More often than not, it is someone very special and very close to you. To this honoree, that is pretty much exactly who they were. They were family. I think all of us would like to believe that we would do the same thing in face of that situation, but we don't know. Jimmy Baxter knows.

Ladies and gentlemen, Jimmy Baxter from the University of South Florida. (Applause)

Jimmy will receive his award tonight from director of athletics at the University of South Florida, Lee Roy Selmon. (Applause)

The 2004 Award of Valor honoree, Jimmy Baxter. (Applause)

RESPONSE—JIMMY BAXTER

Jimmy Baxter: Good evening. First and foremost, I want to thank our Lord and Savior, Jesus Christ, for letting all this come about, because without Him there would be no us. I would like to thank the NCAA for putting on this inspirational show.

Many people put things that matter the least over things that matter the most—like family, friends, our education, even saving the world. Many people say I am a hero and an angel. I really don't think that. I am just Jimmy Baxter, a guy who God put in a particular place at that time, and I am thankful to be there. I know that many of you would have done that.

I was blessed to go to the University of South Florida, where I had a mentor and a fatherly figure, such as Lee Roy Selmon, who brought me here today. My father just got out of the hospital from major surgery, so he could be here with me. I pray for him every day, and I hope you will do the same. I hope and pray that if any of you ever have a chance to open your hearts to others, that you will do the same. In closing, I just want to thank all of you for honoring me with this Valor Award. Thank you and God bless you.

[The assembly extended a prolonged standing ovation.]

PRESENTATION OF THE THEODORE ROOSEVELT AWARD

Public Address Announcer: Ladies and gentlemen, let's meet tonight's 2004 Theodore Roosevelt Award honoree.

Mr. Davis: The Theodore Roosevelt Award is the highest honor awarded to an individual by the NCAA. Tonight, we have talked a great deal about the journeys that our honorees have taken. On several occasions, I have used images of mountains to illustrate the struggles and obstacles that some of them have had to overcome with hard work and dedication.

I can think of no better analogy to describe life's journey of this extraordinary man. He is a giant of a man who quietly leads the way. He was once known as an impenetrable wall for anyone trying to pass his way, but now he carefully clears the path so that others don't stumble and fall. Once the summit has been reached, he moves out of the way and steps aside so the others can soak in the success. The winning spirit of being a student-athlete has never left him, but rather it has grown greater. He has been a leader and role model of many, and he said that he had several role models, and most of them seemed to be under four feet tall.

To him, young minds are our great next super heroes. Armed with books and a great education, he believes they are more powerful than any Minnesota Vikings defensive line.

Public Address Announcer: In the 1960s and '70s, Alan Page was a super hero to football fans across the country. It was on the field of Notre Dame that Alan proved his almost super-human strength and quickness. This all-American posted 63 tackles his senior year on the way to the Fighting Irish's domination of the national championship.

His Herculean-like maneuvers on the field made him a first-round draft pick in the NFL, where he became a member of the famed Minnesota Viking "Purple People Eater" defensive line. As a powerhouse in the NFL, this iron giant proved that he was unbreakable.

During his storied 15 years in the NFL, Alan never missed a single game, playing 218 in all. His mighty strength and competitive spirit took him to four Super Bowl appearances. In 1971, Alan was named the NFL's most valuable player, the first defensive player in history to earn this prestigious honor.

But if you want to see a true MVP, Alan would surely point you in the direction of the nearest fourth-grader. In fact, it was when he was inducted into the Pro Football Hall of Fame that he announced his lifelong dedication to children's education. The Page Education Foundation was established in 1988 to provide minority and disadvantaged youth the means for a college education. Today, almost 4,000 scholarships have been awarded, totalling more than \$2.5 million. What does Alan ask in return? Simply that the recipients be true role models and volunteer in their former elementary schools. He wants them to be the super heroes and show younger students that education is truly the most powerful weapon. Alan himself is the perfect picture of a successful student. At the height of his NFL career, Alan enrolled in law school, carrying his law books alongside his play book.

All the studying in the locker rooms and on the team bus made him even mightier. Today, he is the first African-American elected to the Minnesota Supreme Court. At the pinnacle of the judicial system and armed with the mighty black robe of justice, Alan is the perfect portrait of a modern day super hero.

But even with all his success in sports and life, he believes that his role models, the children, will become even greater.

Mr. Davis: For the "Purple People Eater" and the "Purple People Keeper" and helper, Dr. Cartwright will present the Theodore Roosevelt Award.

Dr. Cartwright: Thank you, Rece. It is my distinct honor to present the Theodore Roosevelt Award, the highest honor the NCAA bestows upon an individual. His achievements on the football field have landed him in many record books and in the football hall of fame.

But it is, as you have just seen, in the halls of Minnesota schools where he has inspired the most precious of victories. His efforts to provide an education to children, who already face a rocky road, are an inspiration to us all.

Ladies and gentlemen, the Honorable Alan Page. (Applause)

RESPONSE—THE HONORABLE ALAN PAGE

Alan Page: Thank you so much for that warm reception and the kind and more than generous introduction. Let me begin by congratulating all of tonight's award winners, whether they be the Top VIII, the Silver Anniversary winners, the Inspiration or Valor honorees. It is a hard act to follow the Inspiration and Valor Awards, given their accomplishments in life.

Let me also say thank you, Dr. Cartwright, and members of the Honors Committee, and all of you here this evening. Not only is it an honor, but it is also a privilege to be here this evening to receive this prestigious award. It was not that long ago that I had served on the Honors Committee. I must confess, it never occurred to me then, or 12 years ago, that I would receive the Silver Anniversary Award, or that I would one day have my name includ-

ed in this community of outstanding individuals who have received the Teddy Award. Indeed, I am still not sure that I qualify, but I will accept.

I do so on behalf of all those people who have been part of making me the person that I am—family members and friends who have sustained me, the 1,885 individuals who have served as Page scholars over the years and who are the lifeblood of the Page Education Foundation, and most importantly, Diane Page, my wife and life mate of 31 years, who has allowed, lifted me and inspired me to be a better person than I might otherwise have been.

It occurs to me that on this occasion what I would like to do is to talk for a moment about the future, about hope, and ultimately the role that each of us here this evening can play in making the future better and brighter. As intercollegiate athletes and those associated with intercollegiate athletics, we are among the privileged few. For better or worse, people look up to us. They listen to what we have to say. While in a sense, that gives us a great deal of power and the ability to influence those around us, I also believe it comes with an element of obligation and responsibility to use that influence in a positive way. Whether it be trying to influence children in their education, an interest of mine, as you know, or trying to work in other ways to make better lives for those who are less privileged, we have to be aware of the weight of our actions. This sense of obligation and responsibility has caused me to focus on four areas, three of which I would like to touch on briefly this evening. They are gender and racial equity, character and education. The fourth, judicial independence, I will save for another occasion.

Thinking about discussions that surround issues of equity, I am reminded of the fact that when my wife, Diane, was in college, women's athletics was not something that she participated in. It was not something that was promoted for young women. Luckily, she was fortunate to find a passion in running, a passion that we both shared. I recall an instance when early in my road racing days, we ran a race together. After the race, the local newspaper ran a picture with a caption deriding the fact that in essence a girl, Diane, had crossed the finish line before me.

In response, I wrote a letter to the editor suggesting that the sexism expressed in the caption should have been left in the dark ages from whence it had come. At the time, I was really hoping when my youngest daughter, who at that time was three, reached the age when young males stop being called boys and are called men, she in turn would be called a woman and not be continued to be referred to as a girl, and that all her accomplishments after that, whether they were on the athletic field or otherwise, be acknowledged as those of a woman.

Looking back, I wish I had also expressed the desire for her to be afforded the same opportunity to play on an NCAA national championship team like I had and Diane had not. As it turns out, due to the progress resulting from Title IX, that desire became a reality when in 1995 she played on the women's NCAA national championship soccer team at my alma mater.

Consider a moment the issue of race. The debate regarding affirmative action programs seems to be under attack from almost everywhere. Those who the program was meant to help, to those who claim the programs are discriminatory, we all seem to have lost sight of the fact that affirmative action's original purpose was to help eliminate the present effects of past discrimination, and as a vehicle to get us to equal opportunity. The fact is that if we had achieved equal opportunity, we wouldn't have to talk about affirmative action. As the late United States Supreme Court Justice Thurgood Marshall said: "Equal means getting the same thing at the same time in the same place." It is as simple as that. It seems clear to me that we cannot retreat from making progress, whether it be by way of Title IX or a properly tailored affirmative action plan. We cannot let opportunities for advancements slip away.

With respect to character, the American Heritage Dictionary defines character as moral or ethical strength, integrity, fortitude. In a sense, character is who we are at our very core. So what determines what we believe and how we respond to any given situation? Character

is not something that we are born with nor does it develop automatically. It must be consciously resolved. Character is not something that is static. People of character take responsibility for who they are and what they do. To resist the temptations and pressures that seduce us to make the easy choices rather than the right choices takes a strong person. I don't mean strong in the physical sense. The physical stature really has nothing to do with character. I do mean strong in the sense of believing that each one of us has obligations to act in the ways that build rather than diminish our character and the character of those around us.

What does that mean for each of us here this evening? It means being honest and trustworthy. It means keeping our promises. It means playing fairly, telling the truth, making decisions with others in mind, always treating people with respect and respecting ourselves. It means working to figure out the difference between right and wrong and then acting accordingly.

The fact that I was once considered to be a great football player or that I am a Minnesota Supreme Court Justice doesn't by itself mean that I am a man of good character. The fact that the color of my skin is different from yours doesn't mean I am not a man of good character. The fact that your language or religion is different than mine doesn't make either one of our characters better or worse. The differences that identify us as individuals do not change the content of our character. When I think of athletics and our society at large, I have great concern, not only about where we are and where we have been, but also about where we are going.

On the playing field, we have developed what I would call an arrogant attitude that manifests itself in show-boating and derisive mocking. That not only goes directly against the principles of good sportsmanship, but it also is inconsistent with Theodore Roosevelt's view of the world—speak softly and carry a big stick. Regrettably, they seem to be more interested in speaking loud and in your face than anything else. It seems to me that that attitude has also moved beyond the playing field. It has begun to creep into our social and physical discourse. In my view, this arrogance casts doubt on our character as athletes and as a nation. We cannot afford the luxury of being so self-absorbed. We should be choosing our role models by the content of their character.

As a nation, we were not doing that in 1963 when Dr. Martin Luther King, Jr., spoke those words, and unfortunately, we don't seem to be doing it now. We must turn our attention away from those people with high visibility, whose actions and words belies the bankrupt nature of their character. Instead, we must look to all the good that is being done in our own backyards by the millions of individuals who have a stake in the future of this country. Every day, in any given community, there are thousands of decent Americans who provide opportunities for creating and sustaining hope for the future. These are not just shallow heroes who offer hope with promise of winning the lottery, becoming a rap star or pulling down backboards and endorsement contracts in pro sports. These are simply men and women, young and old, who get up every morning and do the things that good citizens do, a lot like the Top VIII, the Silver Anniversary Award winners or your Inspiration winners this evening, and our winner of Valor, a lot like those people. It is our responsibility to teach our children the values that these people represent.

Theodore Roosevelt said it well. It is no use to preach to children if you do not have decency yourselves. It is by our example that the character of our children will be developed.

Finally, as I suggested before, I believe that children are the future, and the future is much about hope. If we are to make the future better and brighter, then we must educate our children, for they will be tomorrow's leaders. We must educate our children. This is the challenge we face. I believe the best way to do that is one school at a time, one classroom at a time, one child at a time. I have seen the impact that education can have through my

work with the Page Education Foundation. The number of scholars, we call them Page scholars, has grown from 10 that first year to 565 this year. That first year, 100 children were served by our scholars. This year, we have estimated it will be approximately 6,500. In 13 years, roughly, 125,000 hours of service have been given by those scholars. In the past nine years, 450 of them have graduated, another 95 will graduate this year. I know that the problems that we face, whether we are talking about equity, character or education, can seem overwhelming and out of control.

We tend to assume that big problems require big solutions. I believe that there are solutions to these problems and that we can get them under control. The problems we face as a society are people problems, and the most effective solutions will be found like those of us here this evening. Some would say that the problems we face are too big and too complex for one person to impact. I believe that those people are wrong. You don't have to be a Supreme Court Justice or even a football hero to make change happen. Everyone here, and I again emphasize everyone, has the ability and the opportunity, and I believe the obligation to make the world a better place.

All we have to do is act, and act we must. When we put our hearts and our minds and our bodies to the test, especially when we become involved in the lives of children around us, we can ensure educational opportunities, develop their character and begin to address some of the intractable problems of equity. In the process, we can change the future. That is the challenge I leave with you. As Dr. Seuss said in "The Lorax," "Unless someone like you cares a whole awful lot, nothing will get better. It's not." Thank you.

[The assembly extended a prolonged standing ovation.]

Ms. Cartwright: Also, as a tribute to Alan's alma mater, please join me in recognizing Reverend Edward "Monk" Malloy, president of the University of Notre Dame. Ladies and gentlemen, Reverend Malloy. (Applause)

And a special thank you to you, Rece, for sharing your talents with us tonight and helping us celebrate our honorees and sharing their amazing journeys. As a token of our appreciation, the NCAA will make a donation to the University of Alabama's College of Communication and Information Sciences in your name.

Mr. Davis: Thank you, Dr. Cartwright, and thank you, Dr. Brand. Certainly, on behalf of the University of Alabama, I thank you for the generous donation that you will make to the College of Communication. I would also like to thank all of you for allowing me to be a part of this tonight. I think I can probably speak on behalf of all the people in the room, I want to thank all of you up here for sharing your stories with us. It has truly been an inspiration. One of the things that I think struck me, these stories are not individual stories.

Time and time again, we heard about how the actions of one of these people sitting behind me influenced a great number of people to take action. I hope that what we have seen and heard here tonight will influence all of us to look for opportunities and to seize the opportunities to take action so we can make a difference, so we can take opportunity to try to help others as they need it.

I would like to ask all of the honorees to now stand and join me as we give them one final round of applause. I can't think of a better way to wind up tonight.

[The assembly extended a prolonged standing ovation.]

Millions of people across the country will have an opportunity to share this night with us. February 6th, that is a Friday, at 2 p.m. Eastern time, 11 on the West Coast, you can see the NCAA Honors Dinner on ESPN 2. Thank you for allowing me to be a part of this event. Thank you for a wonderful evening. (Applause)

Division II Business Session

Monday, January 12, 2004

The Division II business session was called to order at 8:10 a.m. by Presidents Council Chair Kay Schallenkamp, Emporia State University.

OPENING REMARKS

Ms. Schallenkamp: Good morning. The 2004 Division II business session will come to order.

I am Kay Schallenkamp, president of Emporia State University in Kansas, and I am the 2004 chair of the Division II Presidents Council. It is a pleasure to welcome you to today's meeting. It has been a pleasure for the last year to serve as chair of the Presidents Council.

I think that we have the best staff in the entire NCAA, with Mike Racy and Jan Brown at the helm, guiding our discussion and helping us through our business throughout the year. I'm not going to mention all of them, but I appreciate all of the assistance that the staff has given us during the past year.

As we begin today's business session, I would like the officers of the Division II Management Council and Presidents Council to stand and be recognized as I introduce you. First, the vice-chair of the Presidents Council, Jack Keating, chancellor at the University of Wisconsin, Parkside; chair of the Management Council, Tony Capon, faculty athletics representative from the University of Pittsburgh, Johnstown, representing independent institutions; and the Management Council vice-chair, Joan McDermott, athletics director of Metropolitan State College of Denver, representing the Rocky Mountain Athletic Conference. Thank you all for your support during the past year.

I would also like to take this opportunity to introduce the other individuals joining me on the dais today. Please welcome Larry Fitzgerald, faculty athletics representative from Southern Connecticut State University, who will serve as our parliamentarian. Members of the Division II governance staff on the dais, Mike Racy, vice-president for Division II; Jan Brown, director of Division II. We also have other NCAA staff on the dais. Terri Steeb and Brad Hostetter of the NCAA membership services staff. They are here to help us with legislative questions and issues that may come up during the course of this business session. Thank you all for being here and for your kind and gentle words of encouragement as we move into the business session.

Before we begin the voting process this morning, we need to take a few minutes to review voting procedures.

[Note: Voting procedures were explained to the delegates.]

In an effort to be more efficient with our time and to get through with our business in a timely manner, we have produced a written version of the Management Council, Presidents Council and budget reports that you traditionally have listened to the morning of our business session. Each of you should have received a copy of the Division II yearbook at registration. We will refer to that later. I hope you find this written summary informative and interesting.

Before I turn the microphone over to Chancellor Jack Keating to make a few remarks regarding the yearbook, I would like to recognize a special person for his years of service on the Division II Presidents Council and for his many contributions to the success of our division. I would like Clinton Pettus from Cheyney University of Pennsylvania to please stand. Clinton, are you here? Did Clinton have to leave? The governor may have called him back

home. In his absence, I think it's important to note that Clinton served four years on the Presidents Council. He's been walking around the Convention with a great big smile on his face and no tie, because he retired effective December 31 of last year. We wish him the very best in his retirement and thank him for all of the service that he provided on behalf of the Division II membership.

Jack Keating (University of Wisconsin, Parkside): Good morning. Thank you, Kay. I'm Jack Keating, chancellor of the University of Wisconsin, Parkside. I serve as vice-chair of the Division II Presidents Council and chair of the Division II Budget and Finance Committee.

As President Schallenkamp mentioned, this year's Convention yearbook contains important committee reports and information for Division II. The yearbook assists us in conducting our business session efficiently, and it provides you with written reports to take back to your campus. I encourage you to share the yearbook with staff not in attendance at this year's Convention. You may also find the contents of the yearbook on the NCAA Web site in the Division II Convention information.

I would like to take a few minutes to point out highlights from the yearbook. In the membership profile section on Pages 6 and 7, you will find an updated summary of Division II facts and figures. I believe this page was handed out in a variety of venues over the last several days. This document provides a snapshot and profile of the Division II membership. For a more in-depth analysis of the Division II membership, I encourage you to read the 2002-03 Division II Membership Report that was distributed earlier today and yesterday.

We have had so many accomplishments in Division II that it would take longer than this business session to enumerate them all. The Division II Newsmaker section on Pages 8 to 20 highlights some of the accomplishments of the division student-athletes and administrators in 2003. We all should be proud to have these individuals as part of our Division II family. Many were honored last night with the student-athlete's presentation at the honors awards.

The Division II strategic plan accomplishments in 2003 are on Pages 26 and 29. This section summarizes the strategic achievements in Division II this past year. As a result of our strategic plan, the division has expanded championship brackets, strengthened conference office operations, enhanced the senior woman administrator position, simplified the Division II Manual and strengthened the division's academic requirements. You may recall that the goals and priorities identified in the Division II strategic plan were developed in 1999. This year, the Management Council and Presidents Council will update the goals and priorities outlined in the plan and present a 2004 to 2007 version of the strategic plan to the membership some time this summer.

Pages 30 to 54 of the yearbook relate to the 2003 Presidents Council, Management Council and committee reports of the Division II governance structure. These reports deliver important information regarding the initiatives undertaken by each group. I encourage you to read all the committee reports and contact the committee chair or staff liaison if you have any questions or concerns.

Pages 50 to 62 cover future Division II strategic priorities and the Division II budget. Priorities in the upcoming year include championships enhancements, championships eligibility issues, a menu format for conference grants, a study regarding the diversity of head coaches, updating the strategic plan, faculty athletics representatives enhancements, analysis regarding student-athlete involvement in the governance process, enhancing the Division II degree-completion scholarship program, Division II identity enhancements and creating a model Division II athletics department.

Please review the Division II long-range budget information set forth on Page 61 in the yearbook. Division II budget principles implemented the past few years have resulted in significant surpluses, and these unallocated dollars continue to fund championships expan-

sions and enhancements for Division II, without the Budget and Finance Committee looking to tap into the enhancement fund money or conference grants to pay for these new initiatives. In fact, we are also finding ways to continue to increase the amounts for distribution each year to the Division II membership. The Finance Committee is very interested to receive your suggestions for other enhancements that you think would be called for.

The final pages of the yearbook, 63 to 78, cover information regarding Division II championships, Division II graduation rates, Title IX and Division II female and minority head coaches.

I hope that this yearbook continues to be a useful tool for all of us. Time has been set aside at the conclusion of our legislative business today for questions and comments you may have about the yearbook and the work of your Division II governance structure.

President Schallenkamp, that concludes my report.

Ms. Schallenkamp: Thank you, Jack. It indeed has been a very busy year and a very successful year for Division II. Let me continue with some procedural issues.

Robert's Rules of Order provide that procedures therein may be superseded or replaced by an organization's own traditional and customary procedures. This Association has a number of such legislative requirements and procedures. Several of them are reviewed in the introductory section of the Official Notice. In addition, you will find in your Official Notice several appendixes in the blue pages that list procedural information that may be of assistance to you. NCAA Convention procedures are designed to ensure fairness and equitable treatment for all members and to expedite your work as delegates. I will not take time at this point to explain all the parliamentary procedures used to ensure fairness, but I will remind the delegates that we will apply these procedures throughout the business of this Convention.

There are certain procedures we apply in attempting to use our time wisely and efficiently, and let me briefly review those. First, we will use the voting machines for roll-call votes. All other votes will be handled by paddles. Roll-call votes were designated by the Presidents Council for proposals that appear important to create an historical record of how each division, school and conference voted on the issue. I will attempt to "eyeball" as many votes as possible, calling for a machine count only when there's doubt as to whether there is a majority. Although the delegates have a right to ask for it, I ask you to please refrain from calling for a machine vote count unless one seems necessary to determine the disposition of the issue.

If a delegate intends to debate an issue during the business session, we ask that you be at one of the microphone locations and be prepared to speak when the motion has been made and seconded, or as soon as the previous speaker has concluded his or her remarks. The microphone numbers will be utilized to recognize speakers. Delegates will be limited to speak to a motion no more than twice. If I see no one at a microphone, the vote will be called as quickly as possible.

The voting and speaking privileges for NCAA Conventions are also set forth in NCAA legislation, so I will not repeat them here. Identify yourself by name and affiliation whenever you address the Convention.

Throughout the past several days, there has been quite a bit of discussion as to what does the ribbon designate on your name badges. They designate whether or not you are eligible to vote. If you have a yellow or orange ribbon on your name badge, you are not eligible to vote at the Convention. So check your name badge. Yellow or orange ribbons designate visitors, who may not participate. As a reminder, the speeches made during today's business session for each proposal create a historical record that becomes very important for research regarding the legislative intent of the 2004 delegates. The annual Convention Proceedings will serve as the official record of this business session, and your remarks will be included in the proceedings.

Let me review briefly the window of reconsideration opportunity. After we complete the consideration of the 54 Division II proposals, we will take a five-minute break in our proceedings to allow delegates to caucus about the possibility of reconsideration. After this break, I will call for a motion to reconsider any of the proposals that have been voted on. All motions to reconsider must occur during this window of reconsideration.

Also, please note that some proposals have immediate effective dates for implementation. For such proposals, the immediate effective date must be considered first, followed by a vote on the merits of the proposal. If an immediate effective date is defeated and the proposal is adopted, the effective date will then be August 1 of 2004.

We have a court reporter with us to prepare a transcript of the business session, so I would remind you again to identify yourself and your institution or affiliation whenever you speak.

Let me also call to your attention two Convention publications. First, the Convention Program that you received at registration. Beginning on Page 20 of this program you will find today's Division II business session. The second publication is the 2004 NCAA Convention Official Notice, which you should have received in November in the mail. In Appendix A, the blue pages, Pages 157 to 159, you will find a list of the 53 legislative proposals, one amendment-to-amendment and one resolution that will be considered during this business session. I also call to your attention the procedural issues, the green sheet, which was handed out this morning. This memo highlights a few edits or corrections to the legislative proposals.

We will attempt to follow the business session schedule as it is listed on Page 20 of the Convention Program. If we have not completed our voting this morning, we will recess around 11:30 for lunch. Please return from lunch by 12:30 so we may continue with our business.

Please note that on Page 4 of the Convention Program there are minor corrections to some of the Division II proposals. These are technical revisions that do not alter the original intent of the sponsors. Also refer to the procedural issues handout, the green sheet you received this morning, that includes a few clarifications and corrections that did not make it into the program.

Before we begin our official business session, are there any issues that we need to clear up? Seeing none, one action that we must dispense with first is approving the Convention Notice and Convention Program.

If we vote to accept the Convention Notice and Program, we will vote on the proposals in the order in which they appear in those publications. So if you wish to re-order a proposal, now is the time to approach the microphone. I also want to point out that by adopting the Official Notice, you are adopting the incorporation of interpretations described in Appendix C, Pages 167 to 173, the noncontroversial amendments in Appendix E, Pages 177 to 250, and the intent-based amendments in Appendix G, Pages 311 to 312. These interpretations and amendments all have been approved by the Management Council and Presidents Council during the past 12 months, and we will not discuss any of them individually unless you move to do so. I will now ask for a motion to adopt the Official Notice and the printed program of the Convention so that we may proceed with our work. After such a motion, we then can consider any motions to re-order our agenda. Is there a motion to adopt the Official Notice and the printed program? There is. Is there a second? We have a second.

Is there a motion to re-order the agenda?

Joan McDermott (Metropolitan State College of Denver): On behalf of the Championships Committee and Management Council, I would like to re-order Proposal No. 54 to be voted on after Proposal No. 36.

[The motion was seconded and approved.]

PROPOSED AMENDMENTS

[NOTE: The Division II Student-Athlete Advisory Committee supported all legislation that was considered at this Convention. During debate, SAAC representatives addressed Proposal Nos. 23 (twice), 27, 32, 33, 39 and 45.]

Ms. Schallenkamp: We will now vote on the main motion. All in favor to adopt the Convention Notice and Program as re-ordered, please raise your paddles. All opposed, please raise your paddles. Any abstentions. The motion carries.

CONSENT PACKAGES

We are now ready to start our voting. This year, the Division II Presidents Council has identified two consent packages. Proposals 1 through 8 are part of the traditional consent package that is intended to be voted on as a group. Proposals 9 through 18 have been placed in a consent package for some of the deregulation proposals for this year's Convention. These proposals also are intended to be voted on as a group. The Division II Presidents Council has identified Proposals 19 through 33 as those that we believe are of particular interest to Division II chief executive officers and has included them in the Presidents Council grouping this year. After considering the Presidents Council grouping, we will then consider the rest of the legislation, beginning with Proposal No. 34.

We are now ready to begin our consideration of legislative proposals. We will start on Page 2 of the Official Notice, with the first consent package, Proposals Nos. 1 through 8. Proposals Nos. 1 through 8 will be considered as a group unless there is an objection. The Management Council and Presidents Council have determined these proposals to be generally housekeeping in nature, and that is why they have been placed in this consent package. Proposals Nos. 2, 3, 5 and 8 have immediate effective dates; however, since they are part of the consent package, there will be no separate vote on the effective date for these four proposals unless someone moves to pull the proposal from the group.

Do we have a motion to approve the consent package?

Nathan Salant (Gulf South Conference): On behalf of the Legislation Committee, I would like to move the consent package, Proposals Nos. 1 through 8.

[The motion was seconded.]

Each of these proposals was placed in the consent package because of the nature of the change being proposed. Each of the proposals is considered either without controversy and/or merely editorial in nature, and therefore it is appropriate to consider them in one package.

[Proposals 1 through 8 were adopted.]

Ms. Schallenkamp: We are now ready to consider the deregulation consent package, Proposals 9 through 18. These are the deregulation proposals that the Management Council and Presidents Council agreed are generally housekeeping in nature, so they have been grouped together for your consideration. Proposals 9, 11, 12, 13 and 17 have immediate effective dates; however, since they are part of the deregulation consent package, there will be no separate vote on the effective date for these five proposals unless someone moves to pull the proposal from the grouping. Is there a motion to approve Nos. 9 through 18?

Paul Engelmann (Central Missouri State University): On behalf of the Legislation Committee and the Management Council, I move Proposals 9 through 18 as the deregulation consent package.

[The motion was seconded.]

There are several proposals before you that will deregulate Bylaws 12 and 16. It was felt that the 10 proposals placed in the deregulation consent package were without controversy or are editorial in nature. Therefore, it is appropriate to vote on all 10 as the deregulation

consent package.

[Proposals 9 through 18 were adopted.]

Ms. Schallenkamp: We are now ready to look at Proposals Nos. 19 through 33 that make up this year's presidential grouping. Proposal 19 is a roll-call vote. There is also an amendment-to-amendment proposal, No. 19-1, that will be considered by roll-call vote.

NCAA Membership—Conditions and Obligations of Active Membership —Certification of Insurance Coverage

Larry Holstad (Winona State University): On behalf of the Management Council, I move Proposal No. 19.

[The motion was seconded.]

James Watson (West Liberty State College): On behalf of the West Virginia Intercollegiate Athletic Conference, I would like to move 19-1.

[The motion was seconded.]

A number of Division II institutions are members of insurance self-insured consortiums or involved in loss-leveling pools as a means of providing athletic injury coverage to their student-athletes.

The current levels of coverage may not be adequate to meet the requirements of the legislation being proposed. Delaying the effective date would give these institutions time to explore what gap coverage or other insurance products may be available that would allow them to comply with the intent of the legislation. This would also allow the membership to examine the entire issue of insurance coverage, particularly the rising costs associated with all aspects of health care.

Arthur Kirk (Saint Leo University): On behalf of the Presidents Council, I would like to speak in support of the amendment-to-amendment to Proposal 19.

This amendment is important to allow member institutions sufficient time to review the insurance coverage they may have in place to ensure they meet the requirements set forth in Proposal 19, or secure additional coverage to meet their obligations under the proposal.

In addition, other members will need time to establish procedures and protocols to certify that student-athletes have their own coverage, as required by the proposal.

Since Proposal 19 is a departure from current practices, it is important that we allow the membership sufficient time to prepare for its implementation. Therefore, the Presidents Council encourages you to vote in support of the amendment-to-amendment to Proposal 19.

[Proposal No. 19-1 was adopted, 242-2-1.]

Ms. Schallenkamp: Now that the vote on 19-1 is complete, we will proceed on the original motion regarding Proposal 19. Proposal 19 has already been moved and seconded. Is there any discussion regarding Proposal 19?

Mr. Holstad: Proposal 19 is the result of analysis and study by the NCAA task force charged with reviewing student-athlete insurance programs and the Association's portfolio of business insurance and contingency planning for associated events. Based on the task force's findings, the health and welfare of student-athletes and prospective student-athletes will be generally enhanced if all active members of the NCAA are required to certify each year that insurance is in place to cover any medical expenses that may result from athletically related injuries sustained while participating in intercollegiate athletics. This proposal would not require the institution to finance such insurance, but rather if adopted, the proposal merely requires members to certify that the affected student-athletes present proof that coverage is in place. The coverage can be provided through a parent or guardian's insurance coverage, participant's insurance coverage, or coverage provided by the institution.

Coverage up to the NCAA catastrophic injury insurance program currently of \$65,000 would need to be in place for the institution to have met this obligation under this propos-

al. For your information, most health insurance plans provide coverage up to \$1 million in limits. This means that most insurance students have through their parents' plans or personal plans will meet the requirements of this proposal. For student-athletes who do not have personal insurance, and whose institutions do not provide coverage, this proposal does mean that the student-athlete should not be allowed to participate until coverage is in place.

The NCAA Executive Committee has asked all three divisions to implement this insurance change. We cannot stress enough how important we feel it is to support this proposal. It will enhance the health and welfare of the student-athletes by removing any gaps in coverage that may have existed, and ensure that they are covered by insurance before they participate. Thank you.

Kathryn Martin (University of Minnesota Duluth): On behalf of the Presidents Council, I would like to speak in support of Proposal No. 19.

This proposal is an important step in ensuring that student-athlete health and welfare is at the forefront of our endeavors. Based on NCAA survey data, we know that too many opportunities exist for student-athletes to be hurt during athletically related activities and not have their medical expenses covered by any type of insurance besides the NCAA catastrophic injury insurance policy. Since this policy does not start until \$65,000 of expenses have been incurred, there exists the potential for a gap in coverage for student-athletes.

The Presidents Council strongly believes we have an obligation to the student-athletes to pass this proposal and ensure that coverage is in place to ensure medical costs for athletically related injuries and eliminate this potential gap. A student-athlete should never step on the field of competition to represent one of our institutions and not be included in coverage for an injury that he or she might sustain.

We urge your support of Proposal No. 19. Thank you.

Sharon Taylor (Lock Haven University of Pennsylvania): We have no difficulty with the coverage for student-athletes because that's something in the athletic administration area that we can control.

I don't know how we control student trainers or student cheerleaders. They are not part of the athletics program. Student trainers are, indeed, a part of the professional preparation program, and the cheerleaders are members of clubs, to which any student at the university is entitled to participate. Could someone address those two matters?

Mike Racy (NCAA Staff): I've been informed by our finance staff that those groups are covered under our catastrophic policy. Without those individuals or groups being covered under this proposal, we run the risk in the renegotiation of our catastrophic policy of the rates significantly increasing, or that we wouldn't be able to have one at all.

Barry Blizzard (West Virginia Intercollegiate Athletic Conference): With the one year delay in implementation of the proposal, we would ask that the appropriate committees of Division II continue to assist the membership in reaching compliance with this proposal should it pass and go into effect.

While we, as a conference, have asked for the delay, we do support the intent of the proposal. We just feel like that all avenues should be explored to assist us with meeting compliance. Thank you.

Nathan Salant (Gulf South Conference): We have at least two institutions that have used opportunities in their communities to create a form of self-insurance. I won't get into the details, but they're asking if they are protected and covered under the concept of institutional insurance as referred to in sub-letter (c).

Mr. Racy: I don't know the answer to that.

Mr. Salant: As a clarification, they do have in place a formal written policy documenting exactly how this works. There has never been a problem. They are fully covered, but it is not completely through an insurance policy. This saves them many, many, many thousands of dollars.

Mr. Racy: I was just talking with Jim Watson. He mentioned that this is one of the issues that the West Virginia Conference is dealing with. That's why they brought forward the amendment-to-amendment to delay the effective date. Jim's reminded me that the self-insurance programs would obviously cover you up to that limit. The gap insurance is what seems to be the issue, and that needs to be looked at. That is certainly what the NCAA and the task force will be studying during the upcoming year.

Mr. Salant: I'm not sure you've answered my question.

Mr. Racy: The answer is "yes." Your self-insurance program would satisfy what is being asked as a result of this legislation, as long as the limits match up with the catastrophic policy that the NCAA has in place.

Mr. Salant: I can assure you that they do, so they would be covered. Thank you.

[Proposal No. 19, as amended by Proposal No. 19-1, was adopted, 242-2-1.]

Amateurism—Professional Sports Counseling Panel

Ms. Schallenkamp: We are now ready to vote on Proposal No. 20. This is a paddle vote with an immediate effective date; therefore, there will be two votes on this proposal. The immediate effective date will be considered first by paddle vote. After the effective date vote, we will then vote by paddle on the merits of Proposal 20.

Jill Willson (Texas A&M University-Kingsville): On behalf of the Management Council, I would like to move the immediate effective date for Proposal No. 20.

[The motion was seconded.]

Proposal No. 20 has an immediate effective date in order for institutions to take advantage of this legislation as soon as possible.

Ms. Schallenkamp: Jill, this is to move the proposal, not the effective date of the proposal.

Ms. Willson: The effective date? First, on behalf of the Management Council, I would like to move the immediate effective date for Proposal No. 20.

Ms. Schallenkamp: The parliamentarian advises me we need the proposal moved first.

Ms. Willson: On behalf of the Management Council, I move Proposal No. 20.

[The motion was seconded.]

Ms. Willson: In the spirit of deregulation, this proposal eliminates unnecessary legislation and provides institutions with the discretion to determine the duties, responsibilities and composition of the professional sports counseling panel. The duties and responsibilities of such panels are inherent with their purpose and do not need to be enumerated in Division II. In order to maintain institutional control, head coaches are still required to report related activities to the panel, or if no panel exists, to the institution's chief executive officer or his or her designee.

For these reasons, I urge support for this proposal.

[Proposal No. 20 was adopted.]

Ms. Willson: On behalf of the Management Council, I would like to move the immediate effective date for Proposal No. 20.

Ms. Schallenkamp: No, we did that.

Ms. Willson: I think I'm confused.

Ms. Schallenkamp: That's okay. So am I.

Ms. Willson: I moved the proposal, and now I'm moving the effective date for Proposal No. 20.

Ms. Schallenkamp: We've done the effective date. Now we're doing the proposal.

Ms. Willson: You asked me . . .

Ms. Schallenkamp: I'm sorry. Yes, I know.

Ms. Willson: Okay.

Ms. Schallenkamp: That's why I said we're both confused. You have moved the pro-

positional. We just need two votes because of the effective date and the proposal itself. So we don't need any more motions, correct? Correct.

Ms. Willson: Thank you.

Ms. Schallenkamp: All in favor of Proposal 20 with the immediate effective date please raise your paddles; all opposed; abstentions. Thank you. The motion passes. I think we'll get through the next one.

We are now ready for Proposal 21, this is a paddle vote with an effective date of August 1st, 2004. Do we have a motion for Proposal 21?

**Amateurism—Promotional Activities—Institutional, Charitable, Educational
or Nonprofit Promotions—Commercial Items**

Kim Vinson (Cameron University): On behalf of the Legislation Committee, I would like to move Proposal No. 21.

[The motion was seconded.]

Current legislation permits an institution to sell an item with a name or picture of a student-athlete, other than a highlight film or media guide, only at the member institution at which the student-athlete is enrolled, institutionally controlled outlets or outlets controlled by a charitable or educational organization. This proposal would permit an institution to sell these items, including highlight films and media guides, through outlets controlled by the institution or outlets controlled by a member conference, the NCAA, or charitable or educational organization. Further, member conferences and the NCAA may also sell such items through outlets controlled by the conference, the NCAA, or outlets controlled by educational or charitable organizations.

Please note that this legislation does not permit entities such as charitable or educational organizations to sell these items, but rather only permits an institution, conference or the NCAA to sell one of its items at their location. Additionally, the same parameters that currently exist in Bylaw 12.5.1 will continue to exist, such as needing the student-athlete to approve the use of his or her name, and the student-athlete cannot directly promote a commercial product. Finally, this proposal would permit a third party hired by the institution, conference or NCAA to sell pictures of student-athletes under the specified conditions in the proposal.

I urge your support of Proposal 21.

[Proposal No. 21 was adopted.]

Amateurism—Media Activities—30-Mile Radius

Suzanne Sanreget (Michigan Technological University): On behalf of the Legislation Committee, I would like to move Proposal No. 22.

[The motion was seconded.]

This proposal eliminates the 30-mile radius required for receipt of legitimate and normal expenses for a student-athlete's appearance or participation in media activities related to intercollegiate athletics.

Furthermore, it removes the distinction between media activities that occur during the playing season and outside the playing season. The proposal is part of the initiative to deregulate and simplify NCAA legislation. Since its creation, there has been little rationale behind the 30-mile radius restriction on media activities. In fact, over the years, the 30-mile radius rule has proven to be arbitrary, and there has been no clear reason for distinguishing between activities during and outside of the playing season.

For these reasons, both the Management Council and Presidents Council believe that the current restrictions on media activities are unnecessary and the bylaws should be deregulated to allow institutional discretion in the monitoring of student-athletes' involvement with the media.

In the spirit of deregulation, I urge your support of this proposal.

[Proposal No. 22 was adopted.]

**Eligibility—Progress Toward Degree—Fulfillment of Credit-Hour
Requirements—Six Credit Hours**

Kevin Hickey (Assumption College): On behalf of the Academic Requirements Committee and the Management Council, I would like to move Proposal No. 23.

[The motion was seconded.]

This proposal makes it clear that academics is a student-athlete's first priority and that we, as a division, have clear minimum academic expectations of our student-athletes.

Student-athletes under this proposal will be required to complete a minimum of six-semester or six-quarter hours of academic credit the preceding regular academic term of full-time attendance in order to be eligible for competition. We feel this requirement will ensure that student-athletes are making appropriate progress toward their degree each term of attendance. Institutions will be required to begin certifying completion of the six hours with a minimum D-minus grade average after the fall 2005 term for continuing students, students first entering in the fall of 2005 and transfer students. Further, an institution will need to verify for transfer students that the six hours is transferable-degree credit.

As with all progress-toward-degree requirements, a waiver-appeal process remains intact to assist students with special circumstances. This will be an additional step related to monitoring academic eligibility. However, as administrators, we are already checking our student-athletes every term to ensure that they are in good academic standing and enrolled in full-time programs of study.

This proposal makes good academic sense. It supports our Division II stated strategic plan commitment to academics. I urge you to support this proposal.

Marius Dan (South Atlantic Conference): I represent the Division II Student-Athlete Advisory Committee. The Division II SAAC supports Proposal No. 23, Eligibility—Progress Toward Degree—Fulfillment of Credit Hour Requirements—Six Credit Hours, for the following reasons:

We believe that this legislation supports and promotes academic integrity of Division II institutions and establishes the academic expectations of its student-athletes. Secondly, the reality for student-athletes is that we are students first, and passing six credit hours represents a minimum requirement toward academic progress that should be attainable. Furthermore, as a matter of student-athlete welfare, we want to compete against student-athletes, and not merely athletes. This legislation allows for a system of checks and balances regarding eligibility and academic performance.

We encourage you to support this legislation. Thank you.

George Hagerty (Franklin Pierce College): On behalf of the Presidents Council, I would like to speak in support of Proposal No. 23.

All of us have a responsibility to ensure that our students are making appropriate and consistent progress toward graduation from our institutions. We continuously set meaningful standards and expectations in order to better ensure the continued success of our students. This was done last year by increasing core-course unit requirements for prospective student-athletes and strengthening grade-point average requirements for current student-athletes. Our concern for the well-being of our students and their academic success demands that we vote for the approval of Proposal No. 23 as well. This proposal is intended to provide an additional safeguard. It will inhibit institutions that may simply recruit a student-athlete to play for a year to help win a championship.

In some cases, student-athletes certified as eligible in the fall, fail to earn any degree credits during that fall semester. This proposal will guarantee that student-athletes attend classes to pass a minimum of six hours. Voting in favor of this proposal is one more step toward placing Division II student-athletes in a position to succeed academically.

I urge you to vote in support of this proposal.

Arthur Kirk (Saint Leo University): As a president, I would like to express my strong support of Proposal No. 23. It seems to me this proposal strikes to the core of our identity, legitimacy and integrity. This proposal assures that an athlete is really a student who is making some academic progress each and every term.

Division II has worked diligently on its mission and strategic plan. We have a strategic goal of improving graduation rates, to enhance academic performance and enhance Division II's identity. We need to set academic standards and expectations of our student-athletes. Six hours is a minimal standard. Permitting athletes to compete after completing zero credit hours the prior term is no standard and makes the notion of student-athlete a mockery.

I urge you to vote for approval of this proposal.

Curtis Outlaw (University of West Alabama): I rise to oppose Proposition 23 for three reasons.

While I feel that six credit hours is easily done, and I think in most cases it is done, I feel we have new continuing-eligibility requirements in place for this coming year, and we have not given those a chance to work. I am against any rule that would put double-jeopardy for split semester student-athletes, in particular, basketball. I feel there is a fear that this will lead to full-blown recertification every semester.

For those three reasons, I oppose Proposition 23. Thank you.

Jill Willson (Texas A&M University-Kingsville): I know you hate to see me coming back up here. On behalf of Management Council, I would like to speak in support of Proposal 23.

As previously stated, we, as a division, have the responsibility to ensure our student-athletes are making appropriate academic progress toward receiving a college degree. By certifying that student-athletes have successfully passed six hours of academic credit the preceding term, we will be able to ensure that Division II student-athletes are students first and athletes second. Further, this proposal has a delayed effective date to provide ample time for institutions to set up the necessary administrative procedures on their campus to monitor this requirement. This proposal makes sound academic sense by ensuring our student-athletes achieve their academic goals. For this reason, and the reasons previously stated, I urge support for this proposal.

Sharon Taylor (Lock Haven University of Pennsylvania): Does this apply to freshmen? It says: "for student-athletes subsequent to the student-athlete's first academic year in residence." Would you clarify that please?

Terri Steeb (NCAA Staff): The question related to whether or not the six-hour requirement was going to apply to freshman students. The six-hour requirement will apply to freshman student-athletes. Part (b) of that proposal, which begins: "For a midyear transfer," relates to the requirement of 12-24. Part (a) relates to the six-hour requirement, which specifies that every student-athlete shall complete six hours the preceding term of full-time enrollment.

Sam Goodwin (Henderson State University): I speak in opposition to this proposal.

When I talked to our financial aid officer about this, it's just a nightmare for them. They have a lot of other students that they have to certify. To recertify all of our athletes at mid-term again, just creates a tremendous burden for them and our financial aid office. It's not because of the six hours. I believe that we have 24 hours a year that we have to meet, which assures academic progress. Because of the problem for our registrar and financial aid office, I'm in opposition. Thank you.

Mary Lisko (Augusta State University): On behalf of FARA, I would like to urge your support of Proposal No. 23.

At its annual meeting in November, the FARA representatives of Division II voted not only to support, but to strongly support this legislation. This legislation does not break new ground. Approximately 10 years ago, legislation was approved that would limit the number

of hours in the summer. We readily passed legislation at that time that would require a student to complete at least 75 percent of the required 24 hours during the regular academic term. We did not intend that student-athletes lay off one of the academic terms to complete the additional hours during the other one.

Proposal No. 23 simply takes another step. Students will be expected to be students during each of the academic terms. They cannot be a student during one term and an athlete during the other term. The requirement of six hours, out of a total enrollment of at least 12, translates to no more than a 50-percent passing rate. In a classroom, this rate would be considered a failure. On the field or on the courts, this rate would be considered mediocre. It should not be beyond the reach of our student-athletes to reach a 50-percent pass rate for the classes in which they are enrolled each term. Remember, there's no legislated grade that needs to be determined on the six hours, only that the grade earned must allow the course to be countable toward the required 24.

For student-athletes that first freshman year, remedial classes, if they meet the legislative requirements, would count. "D" grades will count at many institutions. Freshmen and sophomores could take nearly any courses at the institution, pass them with a minimal grade, and they would still count. As was already pointed out, many institutions already have in place requirements that exceed this minimum standard. They are to be commended. Some of them may feel that this legislation doesn't go far enough to put the student back into the term student-athlete. It's not fair to those institutions to ask their student-athletes to compete against other institutions at conference, regional and national competition with students who are allowed to be students one term and athletes the other.

We should be collectively embarrassed if we allow student-athletes that we bring to our institutions if their academic accomplishments are less than six hours out of a required 12. Please support Proposal 23.

Nathan Salant (Gulf South Conference): I doubt very much that anyone in this room is against the idea of requiring six credits passed in each full-time term of attendance. That's really not the issue that's bothering some people. The real issue is the actualization of the program, to make sure, especially for upperclassmen, that the six credits passed fit within the specified degree programs. That is time consuming. That can also lead to a situation where a student-athlete may choose to change his or her major so that the credits do fit within the program. That's where the registrars are saying we may not get these grades finalized until January 2nd, 3rd or 4th. Classes start January 10th. There isn't enough time. That's the issue. I would be shocked if anyone is opposed to imposing the minimum six-credit rule.

I also think that there are institutions that are saying we've admitted this freshman, he or she met our admissions standards, and now we are going to turn around and say, after one term of attendance, you are a failure, you cannot play. The bottom line is, in many instances, a freshman enrolls because he or she not only wants the education, but wants to play that sport. I'm not sure that the educational interests, in the long term, are served by rendering that student-athlete ineligible when there is a gigantic amount of documentation that shows that when athletes are in season—for example a basketball player in a two-semester sport—that their academic performance is greatly enhanced.

I support the concept, but I'm caught in that area. I'm also concerned that there is not enough time for appropriate appeals to be made when in many instances the grades are not official until early January and the next term starts a week to 10 days later. There's going to be a gap. We know that the NCAA office, for example, generally is closed from roughly December 15th until right after New Year's, give or take a day here or there. I'm just concerned about the implementation.

I thoroughly support the concept, but the implementation is the real issue. Thank you.

Jamie Petsch (North Central Intercollegiate Athletic Conference): I am from the North

Central Conference. I represent the Division II Student-Athlete Advisory Committee. The Division II SAAC would like to express further support of Proposal No. 23.

Sixty-four percent of our institutions surveyed reported that they already conduct some type of academic check or eligibility review at the conclusion of every term. Later today, you will be asked to vote on Proposal No. 31, which moves academic success to the highest priority of our division's philosophy statement.

The SAAC feels that if academic success is truly the highest priority, then Proposal No. 23 is a very clear and simple way to support that priority. At the same time, the failure to support Proposal No. 23 would show a disregard for academic success as a goal of Division II. We strongly encourage you to support this legislation.

[Proposal No. 23 was adopted, 207-47-2.]

Eligibility—Progress Toward Degree—Calculation of Grade-Point Average

John Powell (University of South Dakota): On behalf of the Legislation Committee, I would like to move Proposal No. 24.

[The motion was seconded.]

Proposal No. 24 specifies that a student-athlete must meet the minimum grade-point average at the certifying institution based on the method of calculation used by the institution for calculating the grade-point averages for all students and shall include only course work normally counted by the certifying institution in calculating the grade-point averages for graduation.

The Legislation Committee reviewed 2003 Proposal No. 21 and noted some unintended consequences. It was the intent of the committee to ensure student-athletes were not taking courses at other institutions solely for purposes of attempting to satisfy NCAA eligibility requirements; however, it was noted by the committee that some institutions will accept course work from other institutions and include such course work in the calculation of the grade-point average for graduation for students generally. Knowledge of this practice has minimized the committee's concern. The committee believes that this proposal will positively address the unintended consequences, while still ensuring students are progressing toward graduation.

I strongly urge you to support this proposal.

[Proposal No. 24 was adopted.]

Ms. Schallenkamp: We are now ready for Proposal No. 25. This is a roll-call vote with an effective date of August 1, 2004. Please note the two interpretations recently approved by the Division II Management Council for this proposal as referenced in the green procedural issues memorandum, Section 7.

Eligibility—Two-Year College Transfers—Eligibility For Competition, Practice and Athletics Aid

Paul Engelmann (Central Missouri State University): On behalf of the Legislation Committee, I move Proposal No. 25.

[The motion was seconded.]

With this proposal, the committee will address concerns raised regarding the application of Proposal Nos. 24 and 25, adopted during last year's business session.

This proposal specifies that in order for a student-athlete to be eligible at a Division II institution, the student-athlete must meet the following requirements at the two-year college immediately preceding transfer to the Division II institution: two semesters or three quarters of full-time attendance; and either graduate from the two-year college or satisfactorily complete 12-semester or 12-quarter hours of transferable degree credit for each term of full-time attendance at the two-year college with a minimum grade-point average of 2.0.

Under the proposed legislation, a student-athlete is not held accountable for time spent previously at a two-year college or four-year college, and likewise may not use semesters or

quarters to meet the two-semester or three-quarter requirement or credits to satisfy the 12-semester or 12-quarter hour requirement for each term of full-time attendance.

The Legislation Committee believes this proposal is consistent with its original intentions. Therefore, I urge you to support this proposal.

Arthur Kirk (Saint Leo University): On behalf of the Presidents Council, I would like to speak in support of Proposal No. 25.

The intent with deregulation is to simplify the application of legislation. We believe this proposal is consistent with the intent of deregulation since the student-athlete is held accountable for only work and time spent at the two-year college most previously attended, which will simplify the certification of transfer student-athletes by our administrators and maintain the academic requirements in place for our two-year college transfers.

In order to continue to facilitate the spirit of deregulation, I urge your support of this proposal.

[Proposal No. 25 was adopted, 245-10-0.]

Ms. Schallenkamp: We are now ready for Proposal No. 26. This is a paddle vote with an effective date of August 1, 2004. Please note the correction to the intent statement for Proposal No. 26 as referenced on Page 4 of your Convention Program, or as listed in your green procedural sheet in Section 1.

Awards and Benefits—Expenses to Receive Noninstitutional Awards—Hometown Awards

Nathan Salant (Gulf South Conference): I'm a member of the Legislation Committee and commissioner of the Gulf South Conference. I move Proposal No. 26 on behalf of the Legislation Committee.

[The motion was seconded.]

This proposal permits a hometown group to pay the expenses incurred by a student-athlete who is returning home to receive an award.

Currently, a student-athlete who is returning home to receive a recognition or an award must do so at her or his expense. This proposal would permit hometown groups to provide those expenses. It does not permit an institution or boosters to provide the expenses. As part of a deregulation initiative as well as an enhancement to student-athlete welfare and positive publicity for Division II institutions, I urge your support. Thank you.

[Proposal No. 26 was adopted.]

Awards, Benefits and Expenses for Enrolled Student-Athletes—Academic Expenses

Diane Husic (East Stroudsburg University of Pennsylvania): On behalf of the Legislation Committee, I would like to move Proposal No. 27.

[The motion was seconded.]

Current legislation related to what academic support services an institution may provide is very restrictive, and in some cases more restrictive than what the general student body receives on many of our campuses.

The proposal would provide each institution the autonomy to decide what academic support services are necessary for the academic success of its student-athletes. It is important to note that this would be permissive legislation, as opposed to the prescriptive legislation currently in place. The proposal would also further the goal of deregulation by removing a significant portion of the permissible list and eliminate the nonpermissible academic services list, while maintaining the safeguards against academic fraud by prohibiting typing, word processing and editing costs or services. The proposal would allow only institutions to provide Internet, fax and copy services for required academic assignments when student-athletes are on the road representing the institution in competition. Perhaps most importantly, this legislative change recognizes the importance of providing reasonable support to

student-athletes in ways that positively enhance their academic performance and welfare.

In its spirit of student-athlete welfare and deregulation, I urge your support of Proposal 27.

John Dano (Mid-America Intercollegiate Athletics Association): I'm from the Mid-America Intercollegiate Athletics Association, representing the Division II Student-Athlete Advisory Committee. In regard to Proposal No. 27, Awards, Benefits and Expenses for Enrolled Student-Athletes—Academic Expenses, SAAC supports this legislation. It is an opportunity to enhance the student-athletes' welfare. In addition, this legislation strives to improve academic success of all student-athletes. Finally, this legislation is especially important for those conferences with schedules that require extensive travel.

We encourage you to support this legislation. Thank you.

Nancy Belck (University of Nebraska, Omaha): On behalf of the Presidents Council, I urge you to support Proposal No. 27.

Each member institution is responsible for the academic success of its students, including student-athletes who we recruit who spend significant time representing our institutions across the country.

In today's world of diverse academic programs and requirements, it is imperative that each institution has the autonomy to decide what academic services will benefit its student-athletes, based on the institution's curriculum and programs. I'm confident that our institutions have the welfare of all students, including student-athletes, in mind and that this proposal will benefit our membership and our student-athletes. Please support Proposal No. 27.

[Proposal No. 27 was adopted, 238-9-1.]

Ms. Schallenkamp: We are now ready for Proposal No. 28. This is a paddle vote with an immediate effective date; therefore, we must conduct two votes for this proposal. The immediate effective date will be considered first by paddle vote, and it needs two-thirds approval to pass. After the effective date vote, we will then vote by paddle on the merits of No. 28.

Awards and Benefits—Permissible Expenses—Life-Threatening Injury or Illness

Suzanne Sanreget (Michigan Technological University): On behalf of the Legislation Committee, I would like to move Proposal No. 28.

[The motion was seconded.]

This proposal would enable an institution to provide expenses for a student-athlete and the student-athlete's teammates to be present in situations involving the death or a life-threatening injury or illness of a student-athlete's family member.

Proposal No. 28 is not as restrictive as current legislation, and would not require that the deceased, injured or ill individual be an immediate family member, nor would it restrict expenses to a 100-mile radius from campus, nor would it require a pre-existing relationship to exist between the teammates and the deceased or injured individual. The Legislation Committee believes that in the spirit of deregulation, the institution should have the discretion to decide when it is appropriate to provide these expenses. Further, as a practical matter, the 100-mile radius restriction is no longer effective since the families of most student-athlete reside beyond that boundary, and waivers of that restriction are granted on a regular basis.

Please note that this proposal has an immediate effective date. I encourage your support of Proposal No. 28.

[Proposal No. 28 was adopted, effective immediately.]

Benefits, Gifts and Services—Occasional Meals

Ross Brummett (Carson-Newman College): On behalf of the Management Council, I would like to move Proposal No. 29.

[The motion was seconded.]

Consistent with deregulation efforts, it should be permissible for institutional staff members to provide a meal to student-athletes on infrequent or special occasions at any site in the locale of the institution, including a restaurant, and for the institution to provide transportation expenses if necessary. Our current legislation allows such meals to be catered by a restaurant, but restricts that location to an individual's home. Such a restriction is not practical in sports with large squad sizes. A representative of the institution's athletic interests, or boosters, would continue to be restricted to providing student-athletes with an occasional family home meal at the representative's home.

For these reasons, I urge you to support this proposal. Thank you.

[Proposal No. 29 was adopted.]

Awards and Benefits—Nonpermissible—Reimbursement for Transportation

Robertha Abney (Slippery Rock University of Pennsylvania): On behalf of the Management Council, I would like to move Proposal No. 30.

[The motion was seconded.]

In the spirit of deregulation, this proposal would simply apply the general extra benefit rules to transportation of student-athletes.

The current general extra benefit rule prohibits any special arrangement by an institutional employee or representative of the institution's athletics interests to provide the student-athlete or his or her relatives or friends with any benefit not also available to the general student body or otherwise legislated. Current legislation permits an institutional staff member to provide reasonable local transportation to student-athletes on an occasional basis. But an institution is prohibited from providing additional transportation to a student-athlete, regardless of whether this is an opportunity normally available to the general student body.

This proposal would permit an institution or its staff members to provide transportation to an enrolled student-athlete or his or her friends and relatives, as long as such transportation is generally available to the institution's students and their friends and relatives.

For these reasons, I urge you to support this proposal.

[Proposal No. 30 was adopted.]

Division Membership—Membership Requirements—Philosophy Statement

Joan McDermott (Metropolitan State College of Denver): On behalf of the Management Council, I would like to move Proposal No. 31.

[The motion was seconded.]

This proposal modifies and updates the Division II philosophy statement to better reflect the guiding principles and philosophy of the Division II membership. Proposal No. 31 grew out of a two-day planning retreat in November 2002, at which principal members of the Division II Management Council and Presidents Council agreed that the current Division II philosophy statement was outdated and did not adequately address the issues facing the Division II membership in the years to come. This proposal expands the philosophy statement to address those issues.

On behalf of the Management Council, I urge your support for Proposal No. 31.

Frank Brown (Columbus State University): On behalf of the Presidents Council, I speak in support of Proposal No. 31. This proposal addresses the overall direction and principles that mark our division.

The Division II philosophy statement, which serves as a guide for the preparation of legislation and for the planning and implementation of programs by institutions and conferences, must be expanded to include those issues and concerns that we in Division II are likely to encounter in the future. For example, the academic success of our student-ath-

letes must be promoted in a manner that ensures that an institution's student-athletes graduate at least at the same rate that the institution's student body graduate.

Additionally, the Division II membership should confirm our belief that we seek to prepare student-athletes to be good citizens, to be leaders, and to be involved in their communities. These and other principles are embodied in the enhanced Division II philosophy, and on behalf of the Presidents Council, I encourage your support for Proposal No. 31.

[Proposal No. 31 was adopted, 243-0-1.]

Ms. Schallenkamp: Proposal No. 32 has an immediate effective date; therefore, we will conduct two votes for this proposal. The immediate effective date will be considered first by paddle vote, and it needs two-thirds approval to pass. After the effective date, we will then vote by paddle on the merits of Proposal No. 32. Please note the correction to the third sentence of Bylaw 21.6.6.8.3 as referenced on Page 4 of the Convention Program, or as listed in your green procedural issues memorandum that was distributed this morning.

Committees—Student-Athlete Advisory Committee—Term of Office

Sue Willey (University of Indianapolis): On behalf of the Management Council, I move Proposal No. 32.

[The motion was seconded.]

Proposal No. 32 is intended to amend the term of office for the Student-Athlete Advisory Committee, which is an outstanding group of young men and women serving us. These amendments change the current two-year renewable term to a three-year nonrenewable term. The proposal should reduce the high rate of turnover on the Student-Athlete Advisory Committee and lessen the impact that the turnover has on the work of the committee.

Finally, the amendment allows for the student-athlete to serve on the committee for one year after the completion of athletics eligibility, provided the student-athlete remains active with his or her conference Student-Athlete Advisory Committee. The Student-Athlete Advisory Committee proposed this solution in an effort to reduce the high rate of turnover and to increase stability on the national SAAC. The Student-Athlete Involvement Project Team agreed that part of the reason for the turnover was due to the eligibility restrictions placed on committee members. These amendments also reduce the frequency of paperwork for commissioners and staff because the proposal would reduce the frequency of partial terms.

As noted, Proposal No. 32 has an immediate effective date that would permit those representatives beginning their term of office on or after the close of the Convention, to serve the term suggested in the proposed legislation. I urge your support of this proposal.

Nicole DeBlois (Northeast-10 Conference): I represent the Division II Student-Athlete Advisory Committee. The Division II SAAC supports Proposal No. 32, Committees—Student-Athlete Advisory Committee—Term of Office, for the following reasons:

This legislation will provide for less turnover, allowing for more stability within the national SAAC structure. By implementing a longer term of office, it strengthens student-athlete leadership within the conferences, thus allowing for a stronger campus and conference SAAC. This proposal will also eliminate any confusion surrounding the reappointment process as it stands now, providing a more stable and efficient committee.

We encourage you to support this legislation.

[Proposal No. 32 was adopted, effective immediately.]

Committees—Division II Student-Athlete Advisory Committee—Term of Office

Roger Thomas (University of North Dakota): On behalf of the Management Council, I would like to move Proposal No. 33.

[The motion was seconded.]

Proposal 33 is intended to provide continual conference representation on the Student-

Athlete Advisory Committee, as well as to ensure diversity within the committee. The amendment specifies that if a conference representative on the Student-Athlete Advisory Committee vacates his or her position prior to the completion of his or her term, and if at the same time, the at-large member of the Student-Athlete Advisory Committee is a member of the same conference as the representative who is vacating the committee, then the at-large member would shift into the conference vacancy slot, and the new at-large representative would be elected and could come from any conference.

This proposal ensures that the conference whose representative is vacating the committee would receive continual representation. Essentially, the proposal would support the Student-Athlete Advisory Committee's commitment to diversity. I urge you to support this proposal.

John Semeraro (Sunshine State Conference): I represent the Division II Student-Athlete Advisory Committee. The Division II SAAC supports Proposal No. 33, Committees—Division II Student-Athlete Advisory Committee—Vacancies, for the following reasons:

The proposal will ensure that each conference has a voting member on the Student-Athlete Advisory Committee. The Division II SAAC also believes this proposal should increase diversity within our committee.

We encourage you to support this legislation.

[Proposal No. 33 was adopted.]

Ms. Schallenkamp: We are now ready for Proposal 34. This is a paddle vote for Division II football schools only. It has an immediate effective date; therefore, we will conduct two votes for this proposal. The immediate effective date will be considered first by paddle vote. It needs two-thirds approval to pass. After the effective date vote, we will then conduct a paddle vote on the merits of Proposal No. 34.

Amateurism—Professional Draft—Football

Paul Engelmann (Central Missouri State University): On behalf of the Legislation Committee, I move Proposal 34.

[The motion was seconded.]

On behalf of the Legislation Committee, I move the immediate effective date on Proposal 34.

Ms. Schallenkamp: We don't need that.

Mr. Englemann: For the benefit of the membership, Proposal 34 has an immediate effective date in order for football student-athletes to have the benefit of entering the National Football League's draft this year.

Proposal No. 34 specifies that a football student-athlete would be permitted to enter the NFL draft one time without jeopardizing his eligibility in football, provided the student-athlete is not drafted by any team in that league and that the student-athlete declares his intention to resume intercollegiate football participation within 72 hours after the NFL draft declaration date. This proposal would permit a football student-athlete the opportunity to investigate professional sports opportunities one time during his collegiate career, similar to what is available to basketball student-athletes. The student-athletes would be required to declare their intention to resume intercollegiate participation within 72 hours after the NFL draft declaration date, which is prior to the National Letter of Intent signing date, so football coaches will have a better grasp on team composition in order to effectively prepare for recruiting, spring practice and the upcoming football season. Please note that this proposed change is applicable only to the National Football League's draft.

I urge your support of this proposal.

[The immediate effective date for Proposal No. 34 was approved.]

Ms. Schallenkamp: We are now ready for discussion on the merits of Proposal 34.

David Riggins (Mars Hill College): It's kind of a sad day because we are looking at a piece

of legislation that goes against the grain of what we do. We're encouraging the student-athletes to look at an NFL draft. But that's a byproduct of the time in which we live. And I agree with that. I agree with the spirit of the legislation. I'm in agreement with the legislation.

The problem I have with the legislation is that we've already passed Proposal No. 20. If you look at Proposal No. 20, Item C says that we will allow an institutional professional sports counseling panel to visit with player-agents, representatives and professional athletic teams to assist the student-athlete in determining his or her market value.

Anyone who has ever watched that NFL draft knows that's a moving target. We have a recent example. We had a student-athlete from Mars Hill who was involved in the NFL draft. He was told he would go no later than the second round. On draft day, he was called by three teams and told it looked like he'd go no later than the third round. That student-athlete went in the fifth round. He had completed his intercollegiate eligibility, so it was a no-brainer. He was going to go ahead and take what he got.

To allow a student-athlete, an underclassman, to apply for the draft and to advise him institutionally and put him into that draft, possibly at our advising, and then tell the student-athlete his future in college is up to an NFL team, I just can't buy that. In fact, a banner day for Division II, in my estimation, would be a student-athlete who says, "I'll apply for the draft, but based on what an NFL team has told me regarding my value to the NFL, I will choose to value my education and my competition in intercollegiate competition, higher than the National Football League."

We're getting ready to legislate the inability of a student-athlete to tell the world that. Thank you.

[Proposal No. 34 was adopted.]

Awards and Benefits—Housing and Meals—Permissible— Preseason Practice Exemptions

Nathan Salant (Gulf South Conference): I hereby move Proposal No. 35 on behalf of the Legislation Committee.

[The motion was seconded.]

Ladies and gentlemen, this proposal is very important, particularly because during a pre-season practice period before school begins, or before the first contest, there are no limits on the number of hours in a day that student-athletes may practice; however, these same student-athletes are limited to receiving only three meals during the day. This may not permit all student-athletes to receive enough nutrition on days when they are exerting more physical energy than usually applies during a season.

The proposal would permit an institution, at its discretion, to provide an additional meal or cash equivalent to those student-athletes only during the preseason practice period before classes begin, or before the institution plays its first contest. For those of you who have observed some of those preseason days, they are long. They are hard. A 350-pound football lineman probably needs that additional nutrition, as do many of the other male and female student-athletes involved. Thank you.

[Proposal No. 35 was adopted.]

Ms. Schallenkamp: We are now ready for Proposal No. 36. This is a paddle vote with an effective date of August 1, 2004. Please note the word change correction for this proposal that is referenced on the first page of the green procedural issues memo that was distributed this morning. The editorial revision was not discovered in time for the printing of the Convention Program.

Awards and Benefits—Team Entertainment—Vacation Periods

John Powell (University of South Dakota): On behalf of the Division II Legislation Committee, I would like to move Proposal No. 36.

[The motion was seconded.]

This proposal permits an institution to pay reasonable entertainment costs associated with required practice during vacation periods. In order for these costs to be permissible, however, the entertainment must occur within the institution's campus locale or practice site, and classes may not be in session. As you are aware, currently an institution can pay for reasonable entertainment associated with an away-from-home contest, but not for entertainment associated with practice during a vacation period; for example, during the preseason period. For equity's sake, an institution should be permitted to provide the same benefit for student-athletes during those times when they are required to practice during vacation periods.

Please vote in support of Proposal No. 36.

[Proposal No. 36 was adopted.]

Ms. Schallenkamp: We are now ready for Proposal No. 54. You'll recall that we re-ordered the agenda to consider this after Proposal 36.

Resolution—Championships—Criteria for Selection of Participants

Joan McDermott (Metropolitan State College of Denver): On behalf of the Management Council and as chair of the Championships Committee, I would like to move Proposal No. 54.

[The motion was seconded.]

This proposal would permit the formation of a project team to study the issue surrounding criteria for selection of participants for championships. The project team will evaluate whether changes should be made to the current legislation to ensure that the selection process for member institutions in championship competition remains seamless. The project team will be composed of individuals on the Presidents Council, Management Council, Committee of Infractions, Student-Athlete Reinstatement Committee, Championships Committee and Student-Athlete Advisory Committee. Also, all conferences and independent institutions will be represented on the project team. The project team will have a minimum of two in-person meetings and also a series of telephone conferences. The group will provide its finding to the Management and Presidents Councils.

On behalf of the Management Council, I encourage your support for Proposal No. 54.

John Keating (University of Wisconsin, Parkside): On behalf of the Presidents Council, I urge your support for this resolution.

The passage of this resolution would allow for an in-depth analysis regarding championships selection criteria. The resolution would provide a project team of a broad-based constituent group and the time and resources to conduct the comprehensive review to ensure that all the complexities are addressed, so that an informed outcome may take precedent. On behalf of the Presidents Council, I encourage your support for this resolution.

Michael Marcil (North Central Intercollegiate Athletic Conference): The North Central Conference co-sponsored Proposal No. 37 to address the important championship eligibility issues. The North Central Conference, however, now supports Proposal No. 54 as a more effective way to address these issues.

We appreciate the effort of the Division II Presidents Council, Management Council and the NCAA staff to sponsor Proposal 54. The project team model has proved to be very successful as a way for Division II to address specific issues such as the compliance blueprint, the graduation rates form and the football issues. Now a project team will be developed and made up of at least one representative from every Division II conference. The institutions, working together with the NCAA staff, will be able to address more issues more effectively over the next year than Proposal 37 would have done.

I urge support for Proposal No. 54. If Proposal 54 passes, I will not move Proposal 37 on behalf of the North Central Conference. Thank you.

[Proposal No. 54 was adopted.]

Ms. Schallenkamp: We are now ready for Proposal No. 37. This is a roll-call vote with an effective date of August 1, 2004. This proposal was membership sponsored. Seeing no one at the microphone, we will move on.

We are now ready for Proposal No. 38. This is a roll-call vote with an effective date of August 1, 2004. This is also a membership-sponsored proposal. Please note the correction to the Championships Committee position statement as referenced on Page 4 of the Convention Program, or as listed on the first page of your green procedural issues handout that was distributed this morning.

Executive Regulations—Ineligible Players on Team—Forfeited Contests

Marvin Vanover (Peach Belt Conference): For many of the same reasons that Mike Marcil so accurately articulated in regard to 37, we wish to withdraw Proposal No. 38.

The project team the NCAA is looking at organizing will be diversified. I think we'll be well represented. They have indicated that they will certainly address the issues that I think Mike and I were proposing in Proposals 37 and 38. With that in mind, we will not move 38 for passage.

Ms. Schallenkamp: Thank you. We are now ready for Proposal No. 39. This is a paddle vote with an effective date of August 1, 2004.

Financial Aid—Student-Athlete Employment

Duane Hopkins (Florida Southern College): Speaking on behalf of the Legislation Committee, I would like to move Proposal No. 39.

[The motion was seconded.]

In the continued spirit of deregulation and the simplification of financial aid legislation, and in the interest of student-athlete welfare, this proposal will make student-athlete employment earnings exempt from institutional and individual limits.

In 2001, we took the step of allowing all on-campus employment earnings to be exempt from individual and team financial aid limits. Now is the time to take the next logical step to allow all employment earnings to be exempt. Amateurism and extra benefit legislation will continue to require student-athletes to be paid at a commensurate rate for similar services and only for work actually performed. In addition, student-athletes cannot receive compensation simply based on the value or utility that the student-athlete may have for the employer because of the publicity, reputation, fame or personal following that he or she has obtained because of athletics ability. These continued safeguards will prevent abuses of this proposed legislation. Finally, the proposal will allow student-athletes to be treated the same as all other students in the area of employment.

For these reasons, I urge your support of this proposal.

Joshua Rogers (Great Lakes Valley Conference): I represent the Division II Student-Athlete Advisory Committee. The Division II SAAC supports Proposal No. 39, Financial Aid—Student-Athlete Employment. This proposal looks out for the best interests of the student-athletes' welfare. In addition, student-athletes can earn extra money in order to adequately pay for the cost of living. Further, it provides student-athletes the same chances as the general student body. We encourage you to support this legislation. Thank you.

[Proposal No. 39 was adopted.]

Financial Aid—Maximum Team Limits—Equestrian

John Powell (University of South Dakota): On behalf of the Legislation Committee, I would like to move Proposal No. 40.

[The motion was seconded.]

At last year's Convention, we adopted a proposal to include equestrian as an emerging sport for women. The Division I membership has already established an equivalency limit for equestrian at 15. In order for Division II programs to be competitive in the sport, the Division II limit should mirror that of Division I. The appropriateness of the scholarship limits will continue to be monitored and any necessary adjustments may be made in the future.

For these reasons, I urge you to support this proposal.

[Proposal No. 40 was adopted.]

Division Membership—Reclassification—Exploratory Year

Mary Gardner (Bloomsburg University of Pennsylvania): On behalf of the Management Council, I would like to move Proposal 41.

[The motion was seconded.]

This proposal adds an exploratory year to the beginning of the reclassification process for those institutions that desire to reclassify to Division II.

In the past, institutions have begun the reclassifying process, and then realized that Division II is not a suitable fit. As a result, the Membership Committee and the NCAA staff have invested significant amounts of time and energy that could be better utilized at other Division II institutions. The Management Council and the Membership Committee believe that adding an exploratory year will allow such institutions to better assess whether or not a move to Division II is appropriate, prior to officially beginning the reclassification process. The exploratory year is designed for institutions desiring to reclassify to Division II. These institutions should be prepared to demonstrate a commitment to the Division II philosophy statement, as well as become aware of the Division II membership requirements and expectations, prior to beginning the process, such as utilizing the NCAA clearinghouse and meeting minimum financial aid and support sponsorship requirements.

On behalf of the Management Council, I urge your support of Proposal 41.

[Proposal No. 41 was adopted.]

Division Membership—Reclassification—Application Fee

Michael Covone (Barry University): On behalf of the Management Council, I would like to move Proposal No. 42.

[The motion was seconded.]

This proposal adds an application fee to the reclassifying process. The Management Council will determine the amount of the fee on an annual basis.

The Membership Committee developed this proposal to assist Division II in planning for future membership growth in a way that provides for minimal disruption to services, programs, championship opportunities and other benefits available to current active members. In the past, there has not been a fee associated with the reclassifying process; therefore, the cost of educating reclassifying members was borne by all active Division II members. Currently, provisional members are required to pay an application fee of \$12,000 to cover costs incurred by the Membership Committee in administering the four-year educational program. Reclassifying members participate in similar educational programs.

On behalf of the Management Council, I encourage your support for Proposal 42.

[Proposal No. 42 was adopted.]

Division Membership—Minimum Contests and Participant Requirements—Equestrian

Laurie Turner (University of California, San Diego): On behalf of the Management Council, I would like to move Proposal 43.

[The motion was seconded.]

This proposal establishes the minimum number of contests and participants in order to

use equestrian toward Division II membership requirements. Equestrian is now an emerging sport for women, and this proposal mirrors the Division I requirement. By establishing the same minimum numbers as Division I, Division II institutions will be able to remain competitive with equestrian institutions.

I urge your support of Proposal No. 43.

[Proposal No. 43 was adopted.]

Playing and Practice Seasons—Equestrian

Laurie Turner (University of California, San Diego): On behalf of the Management Council, I would like to move Proposal No. 44.

[The motion was seconded.]

This proposal establishes a playing and practice season for the equestrians that is consistent with the current playing and practice season in Division I. It is important that Division II adopt the same length of season, so that our institutions may remain competitive with Division I institutions in equestrian. Further, the 144-day season is consistent with the other individual sports' playing and practice seasons legislation.

I urge your support for Proposal No. 44.

[Proposal No. 44 was adopted.]

Playing and Practice Seasons—Definitions and Applications— Voluntary Athletically Related Activities

Roger Thomas (University of North Dakota): On behalf of the Management Council, I would like to move Proposal 45.

[The motion was seconded.]

Proposal 45 establishes a definition of "voluntary athletically related activity." At the request of the Division II Management Council, the Student-Athlete Advisory Committee reviewed the current Division I definition of voluntary athletically related activity to determine if the concept, as stated, was appropriate as applied to Division II. The Student-Athlete Advisory Committee worked to develop a revised definition of voluntary athletically related activities that appropriately addresses the concerns of Division II. As service learning, fund raising and community service opportunities have increased. This issue has gained importance on college campuses. The Student-Athlete Advisory Committee believes that this proposed definition will assist institutions and will simplify the legislation related to voluntary athletically related activities. The proposed legislation promotes consistency and clarity for both student-athletes and administrators.

I urge your support of this proposal.

Emily Hutchinson (Pacific West Conference): I represent the Division II Student-Athlete Advisory Committee. The Division II SAAC supports Proposal No. 45.

We feel this legislation will provide student-athletes and administrators a resource guideline and better understanding of what does and does not fall under voluntary activities. We feel this will greatly decrease the confusion surrounding the word "voluntary," and is necessary legislation in order to prevent future abuse and violations.

We strongly encourage you to support this legislation.

[Proposal No. 45 was adopted, 231-6-3.]

Playing and Practice Seasons—Basketball—First Contest—Exceptions

Jim Naumovich (Great Lakes Valley Conference): I move Proposal No. 46.

[The motion was seconded.]

This proposal specifies that the first permissible date for an exhibition basketball contest against non-Division II four-year collegiate institutions and for scrimmages is the first permissible starting date for practice. The stated change will provide greater flexibility and cre-

ate more opportunities for institutions to compete against non-Division II opponents in the preseason.

Ross Brummett (Carson-Newman College): On behalf of the Management Council, I would like to speak in support of Proposal No. 46. It should be noted that the Presidents Council, the Management Council and the Legislation Committee have all supported this proposal. The Councils and the committee support this proposal because they believe the proposal creates more opportunities for institutions to compete against non-Division II opponents. It provides those institutions more flexibility in preparing their team for the upcoming season.

I strongly urge you to support the proposal.

[Proposal No. 46 was adopted.]

Playing and Practice Seasons—Contests in Hawaii, Alaska or Puerto Rico—Basketball

Dede Allen (University of Alaska Anchorage): On behalf of the Great Northwest Athletic Conference and the Pacific West Conference, I would like to move Proposal No. 47.

[The motion was seconded.]

The deregulation process unintentionally added restrictive language that required the host institution to organize a tournament so that visitors may play in four exempted games, instead of being able to schedule cooperatively with other state institutions. Adoption of Proposal 47 restores the opportunity to travel to Alaska, Hawaii or Puerto Rico once every four years and exempt a maximum of four games.

We urge your support.

George Klebez (West Virginia Wesleyan College): On behalf of the Management Council, I would like to speak in support of Proposal No. 47.

It should be noted that the Presidents Council, Management Council and the Legislation Committee have all supported this proposal. With the deregulation of Bylaw 17, it was not the intention of the Councils and the committee to add restriction to this legislation. This proposal provides greater flexibility for institutions that wish to travel to Hawaii, Alaska and Puerto Rico.

I strongly urge your support for this proposal.

[Proposal No. 47 was adopted.]

Playing and Practice Seasons—First Date of Practice—Championship Segment

Thomas Brown (Great Lakes Intercollegiate Athletic Conference): On behalf of our conference, I would like to move Proposal No. 48.

[The motion was seconded.]

The purpose of this proposal is to establish an exact number of dates of practice before the first permissible contest in the four sports listed. The rationale behind it was to be consistent so that the coaches could establish a regular practice routine. More importantly, it was to allow the parents to bring their students to the campus on the weekend, as practice would always begin on a Monday.

We urge support of this proposal.

[Proposal No. 48 was adopted, 175-67-4.]

Playing and Practice Seasons—Annual Exemptions

Curtis Outlaw (University of West Alabama): On behalf of the Management Council, I would like to move Proposal No. 49.

[The motion was seconded.]

This proposal represents some housecleaning that was overlooked in the Legislation Committee's proposal at the 2002 Convention that made the number of scrimmage and exhibition opportunities consistent among those sports. The proposal eliminates the abili-

ty for field hockey and soccer to play scrimmages or exhibition games, in addition to the list of exemptions at the beginning of Bylaw 17. It was never the intention of the Legislation Committee to permit additional scrimmages or exhibition contests in these sports when it created a list of annual and discretionary exemptions that provided the same number of scrimmage and exhibition opportunities for most sports.

This proposal simply makes soccer and field hockey consistent with the other sports.

I urge your support of Proposal No. 49.

[Proposal No. 49 was adopted.]

Playing and Practice Seasons—Football Spring Practice— Conditioning Activities and/or Review of Game Film

Ms. Schallenkamp: We are now ready for Proposal 50. Proposal 50 is identified as a paddle vote for Division II football schools only, with an immediate effective date. This is a membership-sponsored proposal.

It has been brought to my attention that an interpretation that the Management Council and Presidents Council recently agreed to incorporate into the Division II Manual makes this legislation change unnecessary. If you would like to see the interpretation, it is referenced in Section 6 of the green procedural issues memorandum.

Terri, would you take a few minutes to update us on this?

Terri Steeb (NCAA Staff): The Management Council and Presidents Council at their meetings this past weekend agreed to incorporate the March 27, 2001, official interpretation into the Division II Manual. This official interpretation permits an institution for spring football to not count as one of its 15 designated days any day in which activities are limited solely to required conditioning or weight training and/or review of game film. The incorporation of the March 27, 2001, official interpretation into the Division II Manual accomplishes the intent of Proposal No. 50, therefore it is not necessary.

Fred Jacoby (Lone Star Conference): With that interpretation, we will withdraw the proposal.

Recruiting—Number of Official Visits—Prospect Limitation— To Division III Institutions

Joan McDermott (Metropolitan State College of Denver): On behalf of the Management Council, I would like to move Proposal No. 51.

[The motion was seconded.]

This proposal excludes official visits to NCAA Division III institutions from a prospective student-athlete's five expense-paid-visit limitation. Unlike Divisions I and II, Division III does not limit the number of official visits a prospective student-athlete may take to NCAA institutions. Currently, the Division II limitation includes Division III visits. As such, a prospective student-athlete accepts official visits to Division III institutions that result in him or her exceeding five total official visits. His or her eligibility is adversely affected if he or she ultimately decides to enroll at a Division II institution. Because of this side effect, prospective student-athletes are discouraged from visiting Division III institutions.

Moreover, excluding official visits to Division III institutions from a five-visit limitation, should have no significant impact on the Division II recruiting process and would alleviate the administrative burden on Division II institutions to track visits to Division III institutions.

For these reasons, I urge your support of Proposal No. 51.

[Proposal No. 51 was adopted.]

Recruiting—Tryouts—Written Permission

Ms. Schallenkamp: We are now ready for Proposal 52. This is a paddle vote with an

immediate effective date; therefore, we will have two votes for this proposal. The immediate effective date will be considered first by paddle vote. It needs two-thirds approval to pass. After the effective date vote, we will then vote by paddle on the merits of Proposal 52.

Jill Willson (Texas A&M University-Kingsville): On behalf of Management Council, I would like to propose No. 52.

[The motion was seconded.]

This proposal eliminates the requirement that an institution must obtain written permission from the high-school athletics director in order to conduct a tryout of a prospect.

Currently, written permission from the high-school athletics director is a condition for conducting a permissible tryout of a prospect. The written permission requirement is burdensome and unnecessary.

Proposal No. 52 is consistent with the Legislation Committee's deregulation effort because it eliminates unnecessary compliance paperwork and reduces the administrative burden on the institution. Please note, this proposal has an immediate effective date.

[Proposal No. 52 was adopted, effective immediately.]

Recruiting—Noninstitutional Camps and Clinics—Athletics Staff Members

Elwood Hahn (Pacific West Conference): On behalf of the Management Council, I would like to move Proposal No. 53.

[The motion was seconded.]

In the continued spirit of deregulation, there should be consistent regulations regarding employment of institutional athletics department personnel in both institutional and non-institutional private camps and clinics. Proposal 53 will permit athletics department personnel in all sports to serve in any capacity at noninstitutional private camps or clinics that operate in accordance with the same restrictions applicable to institutional camps and clinics. Further, the proposal will establish an exception for those camps that are educationally and/or spiritually motivated, providing specific conditions are met. The specific conditions noted in the exception are similar to the requirements for the development clinic exceptions to the try out rule. Such restrictions are designated to eliminate and minimize recruiting advantages.

This proposal will bring simplicity to the regulations regarding employment of institutional athletics personnel in all camps and clinics. Therefore, I urge your support of Proposal No. 53. Thank you.

[Proposal No. 53 was adopted.]

Ms. Schallenkamp: Congratulations, folks. We did it.

Unidentified Delegate: Madam Chair, I would like to propose a resolution to the membership if I might read that resolution.

Whereas, Kay Schallenkamp will conclude her term as chair of the NCAA Division II Presidents Council following the 2004 Convention; and

Whereas, Kay Schallenkamp has made significant contributions to the Division II Presidents Council, Executive Committee and the NCAA Division II membership; and

Whereas, Kay Schallenkamp has served as chair of the Division II Presidents Council, and in that capacity has chaired the Administrative Committee, and been a member of the NCAA Executive Committee, and has provided leadership and vision for the Division II membership, and has demonstrated her commitment to Division II student-athletes; and

Whereas, Kay Schallenkamp has been instrumental in implementing the Division II strategic plan and the Division II conference grant program, enhancing various Division II championships, creating significant student-athlete welfare initiatives and establishing the division's long-range budget projections; and

Whereas, Kay Schallenkamp has represented Division II in Association-wide matters, including decisions regarding NCAA budget issues and the NCAA strategic plan;

Therefore, be it resolved, that the Division II membership wishes to express its deep appreciation to Kay Schallenkamp for her hard work, passion and dedication to the growth and success of Division II.

I would ask the membership to approve this by acclamation.

Thank you.

(Applause and standing ovation.)

Ms. Schallenkamp: Thank you very much. Thank you.

That wasn't in the script, so it caught me off guard. I started looking for what I had missed.

Thank you so very much.

Student-athletes, you were absolutely awesome. It was a pleasure to have had an opportunity to work with you for two years. One of the plum assignments on the Presidents Council is to be the liaison with the SAAC representatives. It really was a pleasure to have had that opportunity for two years.

It was a privilege and a pleasure to work with Division II for the past four years. I am humbled by the experience. I have learned so much. My athletics folks on campus sometimes think I've learned a little bit too much or think I know a little bit too much. But it has been a wonderful experience.

I am going to make a suggestion for next year. My conference is front and center, my athletics program is right in front and center of me. I don't know if that was for support, or to add pressure, but I was really concerned that I not mess up.

Jill, I'm sorry for the confusion early on. I think we got that straightened out.

Division II is a phenomenal division. We are so fortunate that we know who we are. We are proud of who we are. We have a philosophy statement that we stick to. We listen to our students. We are, first and foremost, concerned about student-athlete welfare. That is the foundation of all of our decisions.

It has been a pleasure to serve you during these past four years and most particularly this past year. I thank you for your support.

We now have a couple more items of business. We have the window of reconsideration. This is for all proposals that we just considered. Any delegate who voted on the prevailing side of any proposal may move for reconsideration. Is there any motion for reconsideration? We are really good.

Is there any other business to come before this Convention?

Seeing none, I would like to thank you for your attention to the work today. You were attentive. You voted appropriately. You listened to one another. You were civil with one another. We agreed to disagree on occasion. It was truly a wonderful opportunity to chair this session.

I declare the Division II business session of the 2004 NCAA Convention now closed.

Division III Legislative Forum

Sunday, January 11, 2004

The Division III Legislative Forum was called to order at 8:45 a.m., with Presidents Council Chair John McCardell, Middlebury College, presiding.

OPENING REMARKS

Mr. McCardell: Good morning. Welcome to Nashville and welcome to today's Division III legislative issues forum. My name is John McCardell. I am president of Middlebury College and chair of the Division III Presidents Council. I will chair this morning's session.

Joining me on the platform this morning are Susan Bassett, director of athletics at William Smith College, who is here with the Division III Management Council; Suzanne Coffey, director of athletics at Bates College, and vice-chair of the Management Council; Bette Landman, president of Arcadia University and co-chair of the Joint Subcommittee on the Future of Division III; Kevin LaGree of Simpson College, who has chaired the Financial Aid Report Task Force for the last two years; Georgana Taggart, faculty athletics representative and chair of Paralegal Studies at the College of Mount St. Joseph, will serve as our parliamentarian. We also have Dan Dutcher, NCAA vice-president for Division III, and Bridget Belgiovine, who serves as director of Division III; and Leah Nilsson, who is an assistant director for membership services at the national office and the Division III legislative liaison. We also have Leland Zeller, associate director of membership services. Leah and Leland will serve as our interpretation experts. We are hoping you will not have to call on them during our session of proposed legislation.

I am also joined by various other members of the Presidents Council and the Management Council of Division III. Each has served in a leadership capacity with the Joint Subcommittee. Bette, Suzanne and Kevin will help us to proceed through our legislative agenda this morning. Those members include, Karen Johnson, director of institutional studies at Alfred University and a member of the Management Council; Phillip Stone, Bridgewater College and vice-chair of the Presidents Council; Leon Lunder, director of athletics at Carleton College and a member of the Management Council; John Harper, director of athletics at Bridgewater State College and a member of the Management Council; Chris Bledsoe, director of athletics at New York University and a Management Council member; Doug Hastad is from the University of Wisconsin at La Crosse and a member of the Management Council; Suzanne Coffey, director of athletics at Bates College and a Management Council vice-president; Connee Zotos, athletics director at Drew University and a member of the Management Council.

Also with us in the front of the room is a court reporter, John Bowen. Finally, as the proceedings conclude, we will be hearing from Dr. Myles Brand, who will be joining us and who has been paying very, very close attention to the deliberations of the Division III future committee over the past year.

Before we begin the presentations, I think it is important for us to understand and to consider where we find ourselves at this point. The process through which we have passed has taken us several years to bring us to this point, and it has resulted in a package of reform proposals that speak quite directly to the future of this division. The discussion and the debate, as we have brought ourselves to this moment, has been vigorous, at times heated, but always respectful. It is certainly our hope in the course of this morning that all of those admirable qualities can be maintained. Our purpose is to give as concise but also as

complete of a discussion of each of these issues before us as we possibly can, and also to allow time for questions and observations from the floor. While it is quite probable that many of you as delegates and many of you collectively as conferences have already come to a certain position on many of these questions, we also recognize that for some of you on some of these issues that your minds are not yet made up.

Indeed, we hope that over the course of the next several hours you can arrive at a position of greater confidence before you cast your votes tomorrow. Whether that confidence is a result of the reinforcement of a position you held when you entered this morning, or rather the result of your listening to the discussion and debate, and perhaps accommodating yourself to another point of view. Whatever the outcome in each individual case, I think it is very important to acknowledge that an awful lot of people have been working very hard on this agenda for a very long time.

Many of you know that there is a larger number of CEOs present at this Convention—more than 100—than ever before. That alone attests to the significance of the issues before us and will render more authoritative the final outcome of the voting to the degree that that CEO presence is a reflection of an institutional point of view. I also think it is important to remember that the process through which we have passed has been broad, protracted and-inclusive. The nature of that process needs to be recalled because we have done all that we can to engage the membership in this enterprise. In particular, I want to thank the members of the joint committee, the members of the Presidents and Management Councils who have worked so very hard to bring these proposals forward to us and to bring us to this moment of decision.

I want now to briefly review today's agenda and timetable, which differs significantly from previous Division III business sessions. Based on responses from the membership and in an effort to encourage greater CEO participation and conference and independent institution dialogue, we have altered the schedule this year to conduct a half-day issues forum this morning, followed by delegate and CEO luncheons. This afternoon, and again early tomorrow morning, many of you will have an opportunity to attend your conference and independent institution meetings in order to further discuss the issues you will hear about this morning. This afternoon also includes additional programming of special interest to CEOs. Tomorrow, we begin our morning business session promptly at 9 a.m. with our roll-call voting. We will break for lunch, open the window of reconsideration in the afternoon for the morning roll-call votes and then conduct our paddle voting, hoping to conclude the proceedings by 3 o'clock. All of these scheduled changes are designed to foster more education and discussion prior to our voting tomorrow. We also hope to make more efficient use of your time so we might adjourn in a timely way. Members of the Convention Planning Committee deserve our thanks and deserve great credit for crafting this new format in direct response to a great deal of membership feedback, including that of CEOs.

We have a very full morning in front of us. To accomplish our priorities, we will not receive the traditional Presidents Council and Management Council oral reports. As you can imagine, the Councils both spent the majority of their time on issues related to the future of Division III. We will discuss that topic for the balance of the morning. I want to take the opportunity, though, to thank the members of both Councils for their very hard work during the past year, and in particular to acknowledge the members of those bodies for completing their terms of service. From the Presidents Council, Dan DiBiasio, president of Wilmington College; and Muriel Howard, president of State University College at Buffalo; from the Management Council, Susan Bassett, William Smith College; Chris Bledsoe, NYU; Carrie Couchman, Albion College; Bill Eng, Bernard M. Baruch College; and Josh Espinosa, Buena Vista University. There are also two other groups of individuals that I want briefly to acknowledge this morning. The first group consists of those who serve in the NCAA governance structure beyond the President and Management Councils. We are truly a member-

ship organization. It is only through their hard work that the business of the NCAA can be accomplished.

If you have served on any NCAA committee during the past year, please rise and allow us to recognize and to thank you for your work. (Applause) If you are interested in committee service, please contact members of the Nominating Committee and staff. There is a committee information booth set up near the registration area to answer any questions you might have concerning committee vacancies and the committee nomination and selection process. You also can find helpful committee information on the NCAA Web site. We recently have implemented an online committee nomination process. It has never been easier to submit your name for committee service and determine the status of the nomination.

The second group I would like to acknowledge is those who have hosted NCAA championship competition during the past year. Championships don't take place without a great deal of hard work by many individuals at the host schools. This hard work results in a quality championship experience for our student-athletes. If you are on the staff of a school or conference office that hosted any round of an NCAA championship during the past year, I invite you now to please stand and be recognized. (Applause) Thank you all.

LEGISLATION DISCUSSION

We now are ready to begin our morning discussion concerning the legislation that we will consider tomorrow. We reserved the remaining period of this morning, up to 11:30, for that purpose. To begin, I call on Bette Landman, president of Arcadia College, who served with me as co-chair of the Joint Subcommittee on the Future of Division III. Bette will present an overview of the session.

Bette Landman (Arcadia College): Thank you, John. As you know, 18 proposals along with related amendments, are up for consideration tomorrow. These are Proposals Nos. 55 through 72. Our goal this morning is to describe each of those proposals in detail. We will address the proposals in numerical order and by legislative grouping and topics. We will start with the roll-call financial aid Proposals Nos. 55 and 56. We then will address the roll-call proposals on eligibility and recruiting, Nos. 57 through 59; Playing and Practice Seasons, Nos. 60 through 64; and Membership, Nos. 65 and 66. Our final category will include Championship Proposal No. 67, which has been withdrawn, as well as the various roll-call Proposals Nos. 68 through 72.

Wherever possible, each group of proposals will be presented by members of the subgroup of the joint subcommittee that focused on that topic. Their task will be twofold. First, to review the details regarding the proposals in order to ensure that you understand the proposal's key components, intent, effective date, et cetera. Second, as time allows, they will moderate a question-and-answer session regarding the proposals in each grouping. We have allocated approximately 30 minutes each for the first four groups and 10 minutes for the final grouping. Please note that we have not asked the sub-group members to advocate for each of these proposals this morning.

Some proposals in some groupings conflict, while others may be at odds with the presenter's individual or institutional position. Instead, we have asked the presenters to explain the proposals and answer related questions to the best of their ability, so that you may consider this information during your institutional and conference discussion sessions later today and tomorrow morning and prior to our voting session. Again this year, we have refrained from distributing handouts. This session will be presented in a PowerPoint format. The agenda and PowerPoint are also available on the Division III Web site. Since most of the legislation we will review relates to the future of Division III discussions, I would like to briefly review the evolution of that initiative.

Please keep in mind that these discussions started in earnest at this Convention two years ago when concerns expressed both within the membership and external sources sug-

gested that the legislative and administrative practices within Division III had strayed from the division's philosophy. These issues appear to strike at the very heart of our philosophy and potentially impact the long-term status and direction of our division. The Presidents and Management Councils concluded that it was their joint responsibility to address these issues, and they established sub-groups in the five areas mentioned earlier as well as an oversight group. Each group was charged with examining the shared educational values of the division in light of its philosophy and its philosophy statement and to explore options for legislative and organizational change consistent with those shared values and philosophy. Each group also was encouraged to focus less on current problems than on the appropriate future direction for the division. I encourage you to keep this charge and approach in mind during the discussions that will occur over the next two days. We attempted to formulate legislation that would serve the best interest of the division as a whole rather than any specific segment of the membership. This, of course, was a challenge given the diversity that exists within our division.

I would like to ask Susan Bassett to briefly review the key milestones the joint subcommittee passed during its two-year journey.

Susan Bassett (William Smith College): Thanks, Bette. Good morning.

As you can imagine, the members of the joint subcommittee were very busy throughout the two-year process. There were a variety of conference calls and in-person meetings for each sub-group, the joint subcommittee and the oversight group. The Management and Presidents Councils spent a significant amount of time at their quarterly meetings discussing this topic as well. Most of the key discussions and meetings will be summarized in the next few slides. One aspect of the process that deserves extra emphasis is the unprecedented effort to solicit direct feedback from the membership.

The initiatives began in earnest with in-person visits by members of the Management and Presidents Councils at conference and constituent group meetings during the fall and winter of 2002. It included the division-wide forum and round-table discussions at last year's Convention in which many of you participated. A key feature in this process was the membership survey last spring. The survey returns were crucial to the joint subcommittee in fulfilling its charge. The fact that CEOs from more than 79 percent of the Division III membership signed and returned a completed survey is remarkable. We are grateful to all of you for your response to the survey.

Likewise, we are grateful to those who volunteered to participate in the focus group discussions that followed the survey. That was another very important exercise that helped us to better understand the survey returns. Again, professionally facilitated focus group discussions were a first for the Division III governance structure. This past fall, members of the Presidents and Management Councils engaged in another round of in-person outreach activities. These included not only appearances with conferences and constituent groups, but also phone calls, e-mail messages and related feedback forums. The Presidents Council, in particular, made special efforts to engage CEOs more directly in the discussions regarding the future of Division III. Overall, the response to the feedback effort has been very positive. In particular, we consistently have heard interest in making in-person visits more routine, although perhaps on a reduced scale. We are discussing how best to follow up on that suggestion.

In short, members of the Presidents and Management Councils took seriously their responsibility for more frequent and direct communication with the various constituencies in Division III regarding this legislation. More than ever, we recognize and appreciate the benefits of such dialogue and the role that it must play in the legislative and governance structure.

Bette and I have described a two-year endeavor to engage our membership in discussion and debate regarding division-wide reform. The governance structure believes that this

package provides a framework to administer athletics for our diverse membership. Our particular challenge was to develop proposals for the largest and most diverse of the NCAA's three divisions while hearing loud and clear from you the desire to stay together as a division. So beyond this, institutions and conferences have the opportunity to run their programs in a manner that best meets the needs of your students and staff. We encourage you to take that opportunity here. Thank you. (Applause)

Mr. McCardell: Thank you, Bette, and thank you, Susan.

It is now time to begin the detailed discussion of our legislative proposals. I might say before we begin that all of us involved in higher education subscribe to the notion that education properly defined is lifelong, and nowhere is that more evident than in the opportunities we regularly encounter to build up vocabulary. Over the last year, I learned a new word from President Brand, a word that may or may not be familiar to those of you here. That word is "disambiguate." Although I am not sure I can define it, I feel pretty confident in saying that that is one of the hoped-for outcomes of this morning's proceedings.

More to the point however, is a word that may be new to those of you who are attending your first NCAA Convention, as it was to me when I attended my first. That word is "mootnicity." I am not sure I can define it, but I know it when I see it. In fact, "mootnicity" applies to some of the more intricate parliamentary issues that are associated with several of these proposals. The staff has circulated a "mootnicity" document this morning to alert you to those areas where that word may rear its head. That is probably enough at this point, but if you need further edification as to its meaning, you will see it acted out before you over the course of the next two days.

Leading our first grouping on financial aid will be Kevin LaGree and Karen Johnson. After their presentation, in a pattern that we will repeat over the course of the morning, they will return to their seats and then invite questions and comments from the audience. Kevin and Karen, I will turn it over to you.

Karen Johnson (Alfred University): Thank you, John. I will begin with Proposal No. 55 on athletics endowments. This proposal eliminates the use of endowed funds that are specifically set aside for financial aid of student-athletes. The exception of NCAA Bylaw 15.01.05 was adopted over 20 years ago and is no longer necessary. The proposal applies to endowments established by an institution before January 1, 1979. The legislation only affects a limited number of institutions that established endowments before January 1, 1979.

The NCAA believes that approximately 30 institutions currently use endowments for the financial aid packages of its student-athletes. This legislation is consistent with the NCAA Division III philosophy of awarding no athletically related financial aid to any student. The proposal helps to ensure that financial aid is awarded to all students on a consistent basis. This proposal also helps to ensure that student-athletes are not treated differently than the general student body when financial aid packages are awarded.

The indigenous proposal hopes to establish competitive and recruiting equity. The proposal only reforms the financial aid awarding practices for student-athletes. Institutions may continue to use endowed funds to support general athletics expenditures, such as capital expenditures and equipment. The legislation has a delayed effective date of August 1, 2008. This will ensure that student-athletes who currently receive aid from an endowment will not be adversely affected by the legislation. This also provides institutions with adequate time to address any issues with the donors or successors, and also provides institutions with adequate time to modify their financial aid awarding practices. Thank you.

Kevin LaGree (Simpson College): I will be speaking about Proposal No. 56, the financial aid annual electronic reporting process. To try to summarize the work of a task force that has been working on this for two years in 15 minutes time is difficult, but we will do it. I hope that it is clear enough for you and that if there are questions after I have completed

my presentation, I will certainly be happy to address them or to have someone from the task force or staff help with that.

The Presidents and Management Councils created this Financial Aid Review Task Force in 2001 to establish a self-analysis method. It came after the adoption of Bylaw 15.4.1 at the 2001 Convention. The thrust of that bylaw was to ensure that athletics aid is not considered in financial aid packaging.

I want to take a couple of minutes to review 15.4.1 with you, because it sets the context for the work of the Financial Aid Task Force. I think you will better understand what we are proposing once you understand what the language of the statute is. This is a defining tenet of our philosophy. In fact, if you look at the presidents' survey of this last spring, it may be the defining tenet. The financial aid in Division III schools goes to those students who are participating in intercollegiate athletics and those who are not in the same manner. Bylaw 15.4.1 says that a financial aid package offered to a student-athlete shall be consistent with the established policy of the institution's financial aid office for all students and shall meet all criteria.

There are four criteria. The first two, which are Subparagraphs A and B, are clear and fundamental. An institution shall not consider athletics ability as a criterion for the formulation of a financial aid package; and secondly, the procedures that the institution uses in packaging financial aid shall be for both student-athletes and those students who are not participating in intercollegiate athletics.

It is the last two subparagraphs of 15.4.1 that really set the context for what our task force has done. In C, it says that the financial aid package for a particular student-athlete cannot be clearly distinguishable from the general pattern of all financial aid for all recipients at the institution. You will notice that this particular subparagraph of 15.4.1 refers to individual athletes. The second criterion that affected our task force is in Subparagraph D. It basically says the percentage of the total value dollar of institutional aid administered to student-athletes shall be closely equivalent to the percentage of student-athletes within the student body.

In essence, there are two outcomes that Bylaw 15.4.1 looks at in terms of financial aid. One outcome looks at the individual student-athlete. Under that test in Subparagraph C, that package for a student-athlete cannot be clearly distinguishable from those for non-student-athletes. It also looks at an aggregate outcome, in which the aggregate financial aid for student-athletes shall be closely equivalent to the total number of student-athletes as a percentage of the student body. Those are the two outcomes that we need to assess.

The Financial Aid Task Force has tried to carry that out. As I mentioned earlier, the membership survey last spring clearly identified financial aid as the top area of concern in terms of the philosophy of Division III. A majority of those responding—64 percent—supported the financial aid review process.

Let me tell you about the process we worked through during the two years on the task force. Those of you who were here when 15.4.1 was adopted will recall that the original means of testing those outcomes was to be an independent financial audit by an outside auditing firm. We conducted a pilot survey that indicated that was going to be an extraordinarily expensive proposition for most member institutions. Indeed, in some of those pilot studies for institutions, the cost of the outside audit was several times the cost of annual membership dues to the Association. That didn't seem very feasible.

Our task force has been trying to figure out a way that we could do this by looking at a couple of general principles. We wanted the report or the assessment tool that would assess these outcomes from each institution to be comprehensive and to provide as little a burden to the institutions as possible. Working with the NCAA research staff, we came up with some criteria that we thought would go into a report that would be effective in meeting the comprehensibility guideline and the lack of burden guideline and would also effectively assess the outcomes of both C and D.

We decided to do a number of things in a pre-pilot. Going into this pre-pilot study, which was done from October 15 to November 15 of this past year, we made some decisions about how we thought the report should be shaped. First of all, we thought we should only gather data on first-year students—freshmen and first-year transfers—who are competing in intercollegiate athletics and those who are not. We wanted to come up with a process by which we could essentially extract data already existing in databases and institutions to gather together into the report. We wanted it to be an electronic filing process to reduce the burden.

In the pre-pilot, we decided to gather various kinds of data to see how this all worked—financial aid award data, demographic data, race, gender and sport of the demographic data, and then academic data, grade-point average, class rank and standardized test results. We invited the membership of Division III to participate in this pre-pilot. More than one-fourth of our membership, 107 institutions, volunteered. But because of our time constraints, we couldn't accept all 107. We selected 26 institutions attempting and I think succeeding in catching the diversity of this amazingly diverse division.

Of those 26, 19 were able to submit data. For the other seven, the problems tended to be institutional problems or timing problems. This was a very tight time frame to gather the data and turn it around. For some people, it just couldn't be done in the mix of everything else. At least one institution had its entire computer network crash during the time they were supposed to be gathering the data, which turned out to be a more important issue for them, not surprisingly. We were comparing financial aid for student-athletes who had entered in the prior academic year with aid packages for other freshmen and transfers.

Let me say this again. Between October 15th and November 15th, we gathered data for athletes from the previous academic year. That is the kind of model we are proposing for this report in Proposal No. 56. The pre-pilot issues that we looked at were whether the data we would be gathering would be relevant and available; how much of a burden it would be for each institution; whether we could establish consistent procedures; how this would affect consent from students and confidentiality for students; whether we could figure out a way to capture the very different and complex packaging methodologies institutions use for financial aid packaging; and whether we could time the data captured in a way that we had relevant data.

The pre-pilot findings were distributed at a joint meeting of the Financial Aid Task Force and the Financial Aid and Awards Committee on December 9th. When we looked at the data, there were some things that jumped out at us right away. The student demographic data, gender, race and sport, provided consistent information across all 19 institutions, but we also discovered it was a very burdensome task to pull this together. Often these data we discovered are located in other parts of the college or university from the financial aid office. It was difficult to work across those departments within some institutions. The academic variables were equally burdensome for the same reasons in most institutions, and once we had them they provided relatively inconsistent results.

One example of that is even in the 19 institutions, it is amazing to learn the number of ways that secondary schools defined grades and calculate grade-point averages. To try to sort those out together didn't seem to be very helpful. The financial aid elements, however, were pretty easy to pull together and were pretty consistent. It was a burden for the 19 institutions. One institution took a half-day to pull the report together, and it is extracted from data already on hand. The mean was two days. The maximum was one week. My understanding is, and we will test this with our staff, that this is really best measured in terms of hours. The fastest was about four hours. The mean was about 16. The worst was 40. The burden depended on a variety of issues—the depth and breadth of the data elements that we requested and the sample size. Larger schools had, obviously, a more difficult, burdensome time. Another problem was the integration of computer systems on the campus,

staffing and collaboration on the campus as well as prioritization, which really was a problem because we were doing this without a lot of advance notice to institutions. It hadn't been folded in to a set of ongoing institutional priorities. Familiarity with the process was another burden.

When we stood back and looked at these results from the pre-pilot, we made a couple of decisions to reduce the burden and to change the report. First of all, we decided to eliminate the demographic data for race and gender, and to keep only the demographic data for sport. Secondly, we decided to eliminate the academic data altogether. That is not pertinent to this level of the report. Eliminating those two kinds of data will reduce the burden substantially of producing this report. We felt as we talked about it and worked through it, especially with the five financial aid officers who were on our task force, that those data got more pertinent. We decided to put it that way as part of any discussion of any difference between the financial aid package for an athlete and for a non-athlete.

As a result, we are suggesting that the report should include the following data elements:

- The cost of attending the institution.
- The expected family contribution.
- The financial need calculated by both the federal methodology and an institutional methodology if one is used.
- The total financial aid award.
- A simple check-off as to whether a student received work study or not. Just a simple yes or no.
- The sport, because we still believe it is vital that this be a sport-by-sport report.

We also want to include Pell Grants, Federal Supplementary Educational Opportunity Grants, total state, private and institutional grants, and scholarships and other resources.

After a long discussion on December 9 that was influenced heavily by our financial aid officers who were on the task force, we decided not to include federal loans, Stafford, Perkins or parent loans, in part because those are packaged under criteria and guidelines by the federal government and are audited on their own. Another thing that we were concerned about was consent and confidentiality. This was not a concern for our student-athletes, because student-athletes through the Division III student-athlete statement provide consent for gathering of such data.

It was a concern for the non-student-athletes in the comparative groups. This became a concern when we looked at sport-by-sport comparison in those sports where there are a very small number of first-year students recruited as compared to the group of students who are not competing in intercollegiate athletics, but who have comparable need to the student-athletes, particularly when you added in those other variables like race, gender and academic data. So the decision to pull out the demographic and academic data is in part to help protect the confidentiality of the students who are not competing in intercollegiate athletics. At the same time, we think the Financial Aid and Awards Committee ought to consider over time that in those sports where there are a small number of students coming in each year, that the data be aggregated over time, so that individuals would not be identified.

We also think that the final form of this report should be submitted to the NCAA Research Review Board to make sure that we are protecting the confidentiality of students. We were concerned about packaging methodologies as we went into the pre-pilot. We based our decision on this because we are looking at comparisons within each school. We are not looking at comparing one school to another, but looking at the financial aid packages for students competing in intercollegiate athletics and those not. So it made some sense at least in the first year.

If this is adopted, we would have a division-wide pilot study just to look at that and let us take a look at what happens when that is applied within each institution. There is some concern that we have heard loud and clear from those schools that apply a matrix system

for computing financial aid. Their concern is that the methodology itself is so complex that an acceptable variance can never be established. We think the best way to try that out and test that out is to do this pilot division-wide. We still think that there should be some rational explanation available. There may be an explanation within the matrix itself that helps if there is a variance between what student-athletes get and non-student-athletes get that would be explainable and comprehensible to people.

Finally, we defined what a student-athlete was for the purposes of this report. It was a way of capturing the data at one point in time. We have decided or are suggesting to define a student-athlete as a person who is on the official squad list on the first scheduled contest or date of competition in the NCAA championship traditional segment. The data analysis that we propose in 56 would call for an institution to compile and extract data from existing databases into an electronic data file to be submitted to the Financial Aid and Awards Committee.

Then the committee, using that data, could create the aggregate report that would aggregate financial aid for student-athletes and compare it to the percentage of student-athletes in the population. Or the institution could produce the aggregate report based on an established format and submit that report to the Financial Aid and Awards Committee.

Let me remind you, this process would suggest filing the report in the fall, around November 15th or November 30th. That date is to be determined by the Financial Aid and Awards Committee. We learned from the financial aid officers that is the best time of the year for them to do this work. It would be filed in the fall for student-athletes and incoming first-year students and first-year transfers from the preceding academic year. We would have the financial aid packages fixed, because we are in the year afterwards. They would have been fixed. We would have the rosters fixed. The data we would be able to gather would be on a fixed date—at a sensible point in each process when the packaging of the financial aid and the development of the athletics squads are complete.

There are a couple of issues left for us to look at. One is variance. We have wrestled with the issue of variance from the very beginning on this task force. We finally decided that although we could create a 10-percent variance between what those competing in intercollegiate athletics and those not received would trigger some kind of conversation with the Financial Aid and Awards Committee, that really was not fair. There are simply too many complexities in the packaging of aid. Very few of us have done this kind of outcome assessment to test where we are. What we think is important, and based on the thoughts of the people on our task force who know statistics better than I, would be to delay a definition of variance until we have had a chance to do a division-wide pilot to gather the data from everybody and take a look and see what a variance might look like.

That is what our proposal will be. We think that will create a fair set of standards, because it might be that there will be different standards depending on the kind of methodology used, for example. I want to reiterate that a variance, wherever it is set, in our view and in a view that we recommended to the Financial Aid and Awards Committee should not in and of itself lead automatically to a referral to the enforcement staff. In fact, we have argued for time for this process to become a part of our common life. If there is a variance outside whatever norms are determined, there is opportunity in the report itself for each institution to explain in a narrative why that variance exists.

The task force recommended to the Financial Aid and Awards Committee that after this year's pilot study, if this is adopted, beginning in 2005 when the legislation would become effective, that we still take three to four years to allow institutions to move into compliance if the variance in their awards in this assessment seems out of kilter. We do that because of the timing and the way we have had to set this up so that the data are correct since we are doing a report in the fall for the previous academic year. Let's assume that an institution shows some variance that we or the Financial Aid and Awards Committee might be uncomfortable with.

Those students are already in their second year in your institution. You will need to take some time and care to figure out how to address the issues that led to the variance. It is our view as a task force that the vast majority of the members of Division III intend to comply with Bylaw 15.4.1. It is a fundamental tenet of our philosophy in Division III. In fact, if you look at the results of the spring survey, it may be the fundamental tenet of Division III. Very few of us, though, have a means of outcome assessment available to us. This report will provide that. It will provide us with an opportunity to move into compliance if for some reason we find ourselves out of it.

We would hope that the Financial Aid and Awards Committee would, as they establish the parameters for the reporting process, do the division-wide pilot in 2004. We hope that they would also then look at some process that would say from 2005 on we will take three or four years to get ourselves used to this reporting process, and then except in the most egregious kinds of problems would take action. For example, one day when our task force worked really hard and we were talking about need-based financing, one of our athletics directors, with a good sense of humor, said the reason for need-based financial aid for students is that we need a left-hand pitcher. Therefore, that was the need-base for the financial aid.

That is kind of an egregious form that I think would be referred to enforcement pretty quickly. But issues where there are variances that seem out of kilter, in our view, need to be worked through, institution by institution, because I think most of us want to move into compliance. Thank you very much. (Applause)

Mr. McCardell: Are there questions? I would ask those with questions to please come to one of the microphones so we can more readily identify you, please.

Jim Davis (Shenandoah College): I thank the Presidents Council for working on these issues and especially thank Kevin for the time he has spent. I have several concerns with what is being proposed. I have been trying to understand why we are sliding down a slippery slope that perhaps will create some major problems for all of us over time. It relates back to the intent where integrity is integrity. We are asked not to use athletics as a basis for awarding aid. Yet, we have an enforcement process for that already, which I think works very well.

Instead, now we are going to substitute a checker on the checkers, a process of reporting expensive data that first starts out to be a way of helping us institutionally assess ourselves, but very quickly slides into the next level of saying we now need to find an acceptable variance for what is good or bad for all these different institutions with such wide variety.

That led me back then to the fundamental issue that we are concerned about cheaters or a way in which we can stop money from being used in an institution to help bring about championships. I reflected on the situation that we have right now with public and private institutions. I wonder why our public colleagues don't win all the championships if that is really a major concern, because the variation between what a student pays at a public institution at a Division III school and a private is phenomenally different. But they don't win all the championships.

There are many factors that go into the reason why a program is successful or unsuccessful. I believe deeply in the fundamental principles that we are talking about here. Integrity on this issue is important. I think it is a fundamental issue for all of us to wrestle with. I think what is being proposed is a great idea for institutional assessment. I don't think it is a good idea to submit to the NCAA. I don't think it is worth the time and cost to do that. I think it could be used at some point as a part of enforcement if institutions did this as a part of their self-study. But I do not believe that it's worth the cost associated with reporting to the NCAA staff that will be required and all the other related expenses. Although it sounds inexpensive to have a day or two days, there are 422 institutions that

we are talking about. If it takes two or three days to do this, start adding up the cost and you are into the hundreds of thousands and millions of dollars across the NCAA. I think that money can be spent better in a better way. I think we can still maintain our integrity with this process of believing that we do not use financial aid for athletes.

Finally, I will just share with you that a brief time in politics on my part causes me to be a little skeptical on this issue because I have watched over the past 20 years as the idea of reporting has replaced legislation for control. If you will stop and think how many reports you are submitting today already, ranging from campus crimes, gender, race, a whole variety of other things, it just continues to come at a rapid pace, both at the state and federal level. Here we are as intelligent presidents and staff people in our athletic programs adding on to that and adding the potential again for even a greater problem.

I would simply ask that perhaps the Council think about what is the real motivation for this? Is it to catch cheaters, or is it to try to really interfere in the internal operations of institutions that today believe financial aid is as important of a management tool within an institution as perhaps we believe that in not using athletic financial aid is to NCAA Division III?

Thank you. I again want to thank the committee. I know they have worked long and hard on this. It is a fundamental issue. It is just that I disagree with the way this has been moving beyond the point of having it as an institutional assessment idea. Thank you.

Kevin LaGree (Simpson College): That wasn't really a question, but a good speech. We looked, for example, on the task force at limiting the reporting to those schools that win championships. We decided that really wasn't the nature of Bylaw 15.4.1.

This was not about competitive advantage. It was about a fundamental philosophical principle of Division III that students ought to be treated equally in terms of packaging financial aid, and that it would be a helpful and good thing for every institution to go through some process by which they test that and share that. We think this is a way it can be done at a relatively low cost and with a relatively little amount of time involved in gathering the data. We do think the first year will be more burdensome.

At Simpson, we were in the pre-pilot. It took about 20 hours for us to gather these data from our existing data. That included demographic data and the academic data, so it will take less time. Almost all of that was just programming time to get a program written that would extract the data and put it into the electronic data file.

When the task force was created in 2001, the Presidents Council set aside a limited amount of money to help finance the implementation of that. That money is still available. A part of this process would be for the 2004 pilot year, if this is adopted, that institutions will be able to apply for that grant money to help them pay for extra programming time, et cetera, to get the first report done. One institution in the pre-pilot that was geared up to this and already aware of how this operated and how the data should be extracted did this in about two hours time.

Edward Hegmann (Mary Washington College): This is a minor issue, but I wondered when you came up with the definition of student-athlete. We have had great difficulty tracking student-athletes in an attempt to capture the statistic on graduation rates.

I wondered why you chose the first day of competition or the first rostered competition, rather than the last in your tracking efforts. At our institution, when someone is on a roster, then they get deleted, it is hard to go back and track them. I wondered if that was part of your discussion.

Mr. LaGree: We did discuss this. In terms of students coming into the institution, it made a little more sense at the beginning of the season when they were on the roster for that than at the end. But it was close. You have to find a fixed point or you are not going to be comparing things correctly. We debated it and ended up deciding on the first competition rather than the last.

Mr. Hegmann: Did anyone on your committee, especially those financial aid officers, discuss the problems that we were trying to capture first versus last?

Mr. LaGree: Yes. We discussed the problems of trying to capture them at any point in that process. The consensus on the task force was that the first day of practice was a bit easier than the last.

Mr. Hegmann: Thanks.

Mr. LaGree: You bet.

Bill Cale (Pennsylvania State University, Altoona): I have a comment and then a question. The comment is about the notion of a calculation of a variance. Unless we think that there is systematic bias in Division III, the arithmetic mean over 400 institutions is likely to be zero, I would think, from the student average. Since variance is measured as the inverse of the size of the sample size, with 400 schools, the variances are going to be close to zero. I don't understand what your discussions were, but that is what I understood from the presentation about a calculation on a variance won't work. That is the comment.

The question is, did the committee consider doing this process a little more like an IRS audit, when you never know when it is coming, but you know it might be, and so we do this periodically rather than annually?

Mr. LaGree: We did think about doing it periodically. We did not think about doing it like an IRS audit that could come any time during the calendar year. That would be very difficult for financial aid officers at certain times during the year. But the thought of doing a random . . .

Mr. Cale: That is what I mean, the random idea. You don't know in any given year whether you are going to have an audit or not?

Mr. LaGree: We thought about that in the same context of limiting it just to championship teams. Again, our view was that if we could find a way that we could do this that was relatively burdenless, that it was an effective and helpful thing for the institution to just do it on an annual basis, particularly when you can extract the data annually.

One of our recommendations for the Financial Aid and Awards Committee also is that we do think, though, that the committee ought to review institutions randomly. In other words, things will be submitted annually. The variance, once it gets established, will sort of kick out a certain number of institutions that exceed the variances. In addition to those, the schools that are within the variance, every so often the Financial Aid and Awards Committee ought to take a look at those. We didn't try to prescribe what that ought to be, because what we don't want to do is to create a system that was really like the previous system, which simply did not work at all. Like the awards of circumstance, where you could apply to have an award of circumstance, the back log of paper that the committee was going through was voluminous. It was taking years just to get to look at those processes. It needs to be contoured to the work load that the Financial Aid and Awards Committee can do.

Carol Matteson (Mount Ida College): First of all, again to echo my colleague's comments on the work of the committees, great work with the reform agenda. I would like to echo the comments of my colleague from Shenandoah regarding the issue of integrity and institutional autonomy, in terms of one more intrusion into the kinds of things that we must take a look at.

I do have, however, a couple of questions. I would like to know if the committee considered how this information might be used? While we are looking at it as a self-assessment tool, that does not mean in this day and age of national consideration of college costs that other outside individuals, once it is known this information is available, may well want to take a look at that. Did the committee consider that issue?

Mr. LaGree: Yes. It is not going to be available to anybody but the Financial Aid and Awards Committee.

Ms. Matteson: I know that, but right now I serve on a couple of other groups that are looking at the whole issue of college cost. You know, Representative McKeon of California is putting forward some issues on capping tuition and so forth and so on. Having a private institution where we do different types of packaging methods, as all institutions do, and with the matrix systems, as you have already indicated are very complex, have you considered the fact that this information might be required? I realize you are saying no, it is not going to be available. However . . .

Mr. LaGree: The NCAA is a private institution and legally we can resist those efforts and would resist those efforts to release these data, not only for Division III, but data that we have gathered and used on the research staff for athletes in Divisions I and II.

Ms. Matteson: Thank you.

Mr. LaGree: You bet.

Mr. McCardell: Thank you. I see no other questioners on this set of proposals. Thank you very much, Kevin and Karen.

We will now proceed to our presentation on the next series, Proposals 57 through 59, Eligibility and Recruiting, by Phil Stone and Leon Lunder.

Phillip Stone (Bridgewater College, Virginia): I will present Proposal 57, which intends to eliminate the practice of redshirting. The concept of four seasons of competition is replaced with the concept of four seasons of participation.

A student-athlete uses a season of participation by practicing or competing after the first contest following the student's initial participation with the team. I have a couple of examples. Assume that a team's first contest is September 10th. An individual may practice up to September 9th without being charged with a season of participation. In this way, limited tryout periods can occur without the student-athlete using a season of participation. Another example. Assume that a student-athlete comes in during the season, perhaps mid-semester, and wants to join a team. On October 1, she attends her first practice. The team last played September 30th and will play again on October 6th. Whatever value that provides during those few days, the student is permitted to practice without losing a season of eligibility.

I would also mention implications on the nontraditional segment. If an institution does not conduct any contest during the nontraditional season, student-athletes who participate only in the nontraditional segment are not charged with a season of participation because there was no competition to trigger the application of the rule. Although Proposal 57 eliminates the concept of redshirting, it maintains both the season of competition and hardship waivers that already exist. The current standard for those waivers are maintained. Thus, a student-athlete may apply for a hardship waiver after suffering an injury in the first half of the season, even if that student-athlete practices in the second half of the season as long as the student-athlete has not competed in more than three contests or one-third of the institution's completed contests.

For season-of-competition waivers, the season-of-competition waiver concept is replaced by the season-of-participation concept throughout the bylaws that are affected by this. Thus, participation must occur in the first half of the season to get the waiver, and any student-athlete who practiced in the second half of the season could not get a season of competition waiver.

Finally, it is important to note that this applies only to participation in Division III institutions. If a student-athlete redshirts at a non-Division III institution, that student is not charged with the season of participation for that year of practice.

Let me turn to 57-1, an amendment to the amendment. This amendment to the amendment grants an exception to the prohibition on redshirting for academic purposes. If the student-athlete misses the traditional segment for academic reasons, that student-athlete may practice in the nontraditional segment without being charged with a season of partic-

ipation. An example we worked with was that a student-athlete might miss the traditional fall season because of a semester abroad, return and practice during the nontraditional segment. Did we really want to have disincentives for that kind of thing? If a student competes in the nontraditional segment, that student will be charged with a season of participation. The academic reasons mentioned would include those things like student teaching or studying abroad for academic purposes. We understand that that is an open invitation for people who look for literal language to say I also have an academic reason. I am flunking out. I am on academic probation, so do I get to play some more?

We think that is probably not the incentive system we intend, so we say the academic reasons do not include academic probation or ineligibility. The legislation actually excludes those items as academic reasons to use the exception. Then the legislation does not specifically state who on the campus has to certify that it is an academic reason, but it certainly is intended that it be a senior academic official, the registrar or an appropriate dean.

Leon Lunder (Carleton College): I would like to speak to Proposal 58. Proposal 58 revised the Division III philosophy statement to establish the guiding principle that athletics recruitment policies should comply with the established institutional policies and procedures applicable to the admissions process. This amendment to the philosophy statement is meant to establish a dialogue between athletics and the admissions departments on college campuses. It applies to the identification as well as the evaluation and the admissions of prospective student-athletes.

This proposal does not state that student-athletes cannot be provided with recruiting benefits that are applicable or described in Bylaw 13. It provides a philosophical basis to evaluate athletics recruitment opportunities and the validity of recruiting practices at your institution. There is a recognition that recruiting student-athletes will likely not follow the exact same procedures as recruiting students with an interest in drama or debate. This guiding principle is put forward to encourage further campus dialogue.

I would like to move on to Proposal 59. Proposal 59 allows student-athletes to grant their own permission to contact another institution. Logistically speaking, student-athletes would be made aware of their opportunity to perform such a self-release by reading the description of the process published in the student-athlete's statement at the beginning of the season. The NCAA staff would post the permission to contact form on the student-athlete's section of the NCAA Web site. The student-athlete would download this form, sign it, date it and forward it to the athletics director at the institution of interest of the student-athlete.

The Management Council intends to establish a reasonable length of time after which this permission would expire. In this way, a student-athlete's permission to contact, signed in the first year of their eligibility, would not be translated into an opportunity for a coach from another institution to contact that student-athlete in their second or third year about a potential transfer.

The main point of this proposal is to allow a student-athlete the chance to explore the opportunity of transferring without fear of repercussion from their current institution should they change their mind about the transfer. Because of this point, student-athletes are not required to notify their current institution of their decision to self-release. The institution would become aware of the transfer at the point that the student-athlete decides to inform the institution or when the transferred tracking form comes from the new institution to verify that the academic credentials of the transferring student-athlete are correct.

Lastly, it is important to note that this proposal would only apply to Division III transfers. Student-athletes transferring from a Division I or a Division II institution to a Division III institution, or from a Division III to a Division I or Division II institution would need to follow that division's recruiting guidelines and regulations.

Finally, I would like to address the parliamentary issues regarding Amendment 57-1. In

the process of voting tomorrow, should Proposal Nos. 62 and 62-1 be adopted after the adoption of 57-1, it will not apply to sports other than golf and tennis as designated in Proposal No. 62, and in rowing as designated in Proposal 62-1.

Mr. McCardell: Thank you, Phil and Leon. The floor is now open for questions or comments from the membership.

Dan Calandro (Knox College): On the self-release situation, I will use Knox College as an example. If a Carleton swimmer sends the form to Knox allowing us to visit with them, we don't know their academic status at Carleton other than what they tell us. I would send the form to you asking you for their academic status. That might be the same day. Is that the discussions that you have had?

Mr. Lunder: Yes. At the point that the investigation into the eligibility of the student-athlete, based on the transfer, the prior institution would then be notified. There are two ways you can be notified. My institution could be notified is one, if the student told me. Or two, if Knox contacted me about eligibility information. So yes, that could happen in the same day. It may not happen down the line. The intent of putting an expiration date, if you will, on the release is so that this will not be a prolonged endeavor where nobody knows what is going on.

Mr. Calandro: Thank you. But there is no window of time that we would need to wait?

Mr. Lunder: No. If your institution believes you need that information before you continue pursuing, you could immediately send that.

Mr. Calandro: Thank you.

Greg Fredricks (Lewis and Clark College): I have a question about 57-1. Specifically, I find the phrase "missed the traditional segment" to be overly vague. In other literature that I have seen, the phrase "did not participate in the traditional segment" has been used. Is that indeed the interpretation of "missed" so that an athlete has not participated prior to the first contest or not during the traditional segment?

Mr. Lunder: If a student-athlete does not participate in the traditional season for reasonable academic reasons—it could be off-campus studies—they may choose not to participate. That is a legitimate reason.

Mr. Fredricks: My question is about the term "missed."

Leah Nilsson (NCAA Staff): In response to "missed," in terms of drafting that proposal, they were not involved in any way. Due to their own academic commitments, they were not at any practice. They were not at any competition. Traditionally, we say most of our other legislation would refer to no practice or competition, but this is a slightly different concept in that due to the study abroad, this other academic opportunity, it is a slightly different application than what we have seen in the past.

It is just not that they are not on campus and not practicing or competing, but for some other reason they are missing that segment.

Mr. Fredricks: I agree it is a different application, but I think the word "missed" is overly vague. For example, a student-athlete who has been student teaching in an outdoor school on weekends and misses every football contest during the fall season, but attends a number of practices, may argue that he has missed the traditional season. I think we need to be more specific than the term "missed."

Mr. Lunder: But that is defined by the fact that once the first competition that they would be eligible for has passed, if they practice subsequent to that contest, then they are in fact using a season of eligibility.

Aaron Brock (Alma College): I have a couple of questions on the self-release. From a coach's standpoint, an individual could self-release because of issues that are happening on their campus and the coach has no opportunity to address those issues. The second, as far as receiving academic information, it becomes more than an issue of just eligibility. It becomes an issue of admissibility. Do coaches proceed with recruitment of that student or conversations with that student when they have no academic background?

Mr. Lunder: That becomes an institutional question. I think as our questioning from Knox is pointing out, they may want to know that information up front. Another institution may not solicit that information until they talk to the student a little bit, and maybe about some other issues, just to get to know them. Then if they decided they were interested in pursuing it further, then they may check the eligibility and admissibility factor. I can't answer that on an institution-by-institution basis. It is going to depend on how the institution pursues it.

The only thing that we were really a little bit concerned about in our discussions most recently was the fact that we didn't want a student signing a release that would go on indefinitely, because that process then drags. This kind of gets the process moving and it actually would assist the student in making a decision, too.

Ms. Nilsson: The only thing I would add to that is the way that coaches communicate with the student does not change under current practices, and if this proposal passes. All that changes is instead of the athletics director signing the permission to contact, essentially the student-athlete can sign that on their own behalf. What coaches do once they receive a permission to contact a student is no different with this proposal than without this proposal.

Susan Petersen (U.S. Merchant Marine Academy): I need a point of clarification. It may be more for my institution, so bear with me. Redshirting for academic reasons, I fully understand, is not part of the redshirting formula here. But is there an opportunity to waive? Let me give you an example. We only really have two majors at our school. If the kid takes engineering and decides that he is struggling in engineering and needs to switch his major to the other major, he has already started his sport at our institution. You have to take a setback. You cannot just switch and continue on. That would mean he would have to come back and completely repeat that particular year. Under this new rule, if he practiced for two weeks, would he lose that eligibility? Would I have an opportunity to go to a committee for a waiver?

Ms. Nilsson: That situation would trigger the application of a season of participation. If you have a particular circumstance out of the student's control and somewhat extraordinary, that could be put before our Administrative Review Subcommittee for consideration.

Ms. Petersen: So it would be the administrative subcommittee that it would go to?

Ms. Nilsson: Correct.

Ms. Petersen: All right. Thanks.

Mr. McCardell: Thank you. Is there anyone else waiting to speak on this topic? If not, then thank you very much and we move to the next group of proposals, 60 through 64, having to do with Playing and Practice Seasons, by John Harper and Connee Zotos.

John Harper (Bridgewater State College): Thank you, and good morning. The first proposal that we will take up is Proposal No. 60. It addresses playing and practice seasons, length of seasons and contest limits. This proposal would, if adopted, reduce both the number of weeks and the maximum number of contests permitted in all sports.

The fall sports would be limited to 18 weeks, and winter and spring sports would be limited to 19 weeks. This proposal takes an across-the-board reduction of 10 percent in the maximum contest limitation for each sport and allows the institution discretion in how it allocates contests across the traditional and the nontraditional segments. When an institution allocates contests across the segments, they are limited by the current maximum in each segment. As an example, the current limit in baseball is 45 contests for an academic year. There is a maximum of 40 contests permitted in the traditional segment and five contests in the nontraditional segment.

Reducing this number of 45 contests by 10 percent yields an annual limit in baseball of 41 contests. The current maximums of 40 traditional and five in the nontraditional becomes the limits in each respective segment. Thus, an institution could conduct 40 con-

tests in the traditional segment and one in the nontraditional, 39 in the traditional, two in the nontraditional, et cetera. Proposal 60 also establishes a first contest date for spring sport traditional segments of 14 weeks before the selection date for the championship in each sport. This means that for spring sports, there is an expectation within the 19-week maximum that the traditional segment carries a limit of 14 weeks and the nontraditional segment carries a limit of five weeks.

It is important to note that Bylaw 17.1.9.1 allows an institution to combine the traditional and nontraditional segments for those sports with distinct contest limits in two segments. If an institution does combine the segment, they are limited to the contest maximum for the traditional segment. I would write that down if I were you. I checked that. I was not aware of that. Bylaw 17.1.9.1, is an important one. Therefore, in those sports that have different contest limitations for traditional and nontraditional segments, if an institution wishes to exceed 14 weeks in the traditional segment, it must do so at the expense of having a separate nontraditional segment. Thus, if an institution plays a 16-week traditional segment, it cannot conduct a separate nontraditional segment and cannot exceed the maximum number of contests permitted in the traditional segment. For sports that do not have distinct contest limits in the traditional and nontraditional segments, there is no way to exceed the 14 weeks. That is Proposal No. 60. I am sure there will be no questions when I am finished. The window will be open very shortly.

Proposal No. 61 is a membership proposition—playing and practice seasons—addressing the length of the playing seasons. It similarly would reduce the length of the fall sports to 18 weeks and the winter and spring sports to 19 weeks. It does not, however, propose to reduce the number of contests permitted nor does it alter competition in the nontraditional segment. This proposal does not set a maximum limit for the number of weeks permitted in each segment. Therefore, an institution is not limited to conducting a 14-week traditional segment for spring sports. It could play, for example, a 16-week traditional segment and still have a three-week nontraditional segment, and so on, according to however you would like to break that out. However, Bylaw 17.1.9.1 does continue to apply. In those sports with different contest limitations in the traditional and nontraditional segments, an institution could combine the weeks from the traditional and nontraditional segments for one continuous 19-week segment. However, the contest limit for that continuous period will be limited to the maximum for the traditional segment.

I will now yield to Connee Zotos, who will cover the next couple of proposals, and then I will come back.

Connee Zotos (Drew University): Proposal 62 eliminates competition in the nontraditional segment for all sports except golf and tennis. This proposal does not change the number of weeks in the season and it still allows practices to occur in the nontraditional segment.

The rationale for this proposal states that it reduces the time demands and challenges placed on institutional personnel, facilities and participating student-athletes. Eliminating the ability for student-athletes to compete in the nontraditional segment will enable student-athletes to participate in other campus activities.

Proposal 62-1 is an amendment to Proposal 62 and adds rowing to the sports still permitted to compete in the nontraditional segment. The nature of golf, tennis and rowing often necessitates competition in a nontraditional segment due primarily to weather considerations.

Proposal 63 limits the nontraditional segment to 16 practices and one date of competition. Multiple contests may be conducted on that one date of competition. However, that contest date does count as one of the 16 practice opportunities. So, you could have 15 practices and one date of competition, or 16 practices without the date of competition. The 16 practices are total practices and not practice dates; thus, a typical two a day would count

as two of the 16 practices. Further, there is a limit of four practices in any one week. The five-week limit for the nontraditional segment does not change with this proposal. Proposal 63 also stipulates that an alumni contest conducted during the nontraditional segment would not be exempt and, therefore, must be counted as the one permissible date of competition if conducted in the nontraditional segment.

The reference to practice in this proposal includes all athletically related activities as currently defined in NCAA legislation. Therefore, things like required weight training, visiting a competition site, required workshops and other items count as practice against the limit of 16 practices. This proposal does not add a contest date for football. Football retains the strength and conditioning period, but that period would be shortened to 16 practices.

John will finish this segment and talk about the parliamentary issues.

John Harper (Bridgewater State College): Proposal No. 64 is Playing and Practice Seasons—Elimination of Out-of-Season Exception. This proposal would eliminate the out-of-season coaching exception currently referred to as the safety exception.

Currently, the sports of fencing, gymnastic, rifle, rowing, skiing and swimming are permitted to have a coach present during voluntary individual workouts outside of the playing season. The coach may provide safety or skills instruction while in attendance at these workouts. The out-of-season exception has been used to extend the playing season for these sports, and the entire Management Council was concerned about that. This proposal will bring all sports into consistency with the Division III principle of limiting athletically related contact between a coach and a student-athlete to the playing season.

This proposal does not state, however, that coaches cannot engage in any facility monitoring that is part of his or her normal duties at the institution. Coaches may continue to monitor facilities if that is a duty that the coach normally performs on campus and the facility is available to all students. The coach cannot provide instruction while monitoring the facility, but can instruct student-athletes to stop performing an activity that the coach deems to be dangerous. The parliamentary issues that are inherent in Proposals 60, 61, 62, et cetera, are voluminous. If you don't think you know what "mootnicity" means, that is easy compared to understanding how it would be applied. It is my understanding that you either have now or will have a "mootnicity" chart that will explain completely and succinctly the "mootnicity" implications of these votes.

I dare say that there is no one in the NCAA who understands—indeed he invented it—"mootnicity" better than Dan Dutcher. He spent considerable time at the Management Council meeting the other day explaining the "mootnicity" of all of these proposals to the point that our eyes glazed over and he stopped. I am not even going to attempt right now to talk about "mootnicity." I will be happy to yield the floor to Dan if he wants to take a shot at it, but there are a number of "mootnicity" issues. I would ask you to pull out this chart and see a number of the issues as they exist.

Beginning with Proposals 60 and 61, in terms of "mootnicity" both proposals reduce the number of weeks per season to 18 in the fall, 19 in the winter and 19 in the spring. But they achieved those reductions in a different manner. These two proposals function differently in the way weeks are allocated between the traditional and the non-traditional segments. Thus, if both proposals are adopted, 61 essentially becomes moot on August 1st, 2006, as the allocation of weeks would then revert to the more limited proposals in 60. That is the easy one.

There will probably be a motion to reorder these proposals tomorrow at the beginning of the business session. One of the reasons behind doing that would be to follow the NCAA's typical pattern of considering most restrictive legislation first to the least restrictive. That would be the reason that some of these proposals would be moved to be voted on in a different order. We have some other information on the slides, and I will attempt to wade through this, but if there are any questions, I will divert those to Dan.

Proposals 62 and 62-1 both deal with the number of permissible contests in the nontraditional segment. Because Proposal 60, the governance proposal, alters the overall allocation across both segments, its implication on overall contest limitations is greater than Proposals 62 and 62-1. Thus, if Proposal 60 is adopted, Proposals 62 and 62-1, which deal with the elimination of contests in the nontraditional segments, become moot upon the effective date of Proposal 60, which is August 1st, 2006. Proposal 63 is a bit more complicated due to the proposal containing multiple details.

The 16 practice opportunities is the most restrictive treatment of practice in the nontraditional segment for all proposals. Thus, that concept does not become moot with the adoption of any of the Proposals 60 through 62. The one play date in the nontraditional segment becomes moot on August 1st, 2006, if 60 is adopted, because the overall treatment of contest limitations is more extreme in Proposal 60 than in Proposal 63, in that it deals with both segments.

Proposal 62 is also more extreme than Proposal 63 in the nontraditional contest reduction, thus the contest portion and the counting of alumni contests in the nontraditional segment both become moot if 62 is adopted. I believe we will now be available for questions. Thank you.

Mr. McCardell: Thank you. The floor is now open for questions or comments about either content or procedure.

Dan Calandro (Knox College): Dan Dutcher, could you help us in defining the most restrictive to the least restrictive if, in fact, they do get re-ordered? Can you do that now so we would know what the order will be, assuming it does get re-ordered tomorrow?

Mr. Dutcher: I can tell you what the motion will be tomorrow morning.

Mr. Calandro: That will work.

Mr. Dutcher: It will be to move Proposals 62 and 63 in front of Proposal 60. So in the playing and practice seasons package, the motion will be to move and consider 62 and 63 before 60. In terms of most restrictive to least restrictive, the rationale would be two-pronged. Number one, 62 and 63 either eliminate or almost completely eliminate competition in the nontraditional segment, which arguably is a more restrictive approach than that outlined in Proposal 60 or 61, which contain competition in the nontraditional segment.

The other main reason behind considering 62 and 63 first is that they have an earlier effective date. It would be foolish for me to say by adopting that motion that all of the parliamentary issues would be resolved, but it does seem that if 62 and 63 are moved and considered first, it is a cleaner parliamentary progression than it is otherwise.

Mr. Calandro: One more question, Dan. Thank you on that one. Comparing 62 and 63, will 63 go ahead of 62?

Mr. Dutcher: No, the motion would be 62 and 63, in that order.

Mr. Calandro: Could it be 63 ahead of 62, though? Could it be motioned that way?

Mr. Dutcher: That is not the motion that is coming from the governance structure.

Mr. Calandro: Is it possible for that motion to be made and, in your opinion, would it make sense for 63 to go ahead of 62 because it is more restrictive?

Mr. Dutcher: As I understand the difference between 62 and 63, 62 applies to all sports other than those specifically mentioned in 62 and 62-1. It eliminates all competition in the nontraditional season in those sports. Proposal 63 only applies to specific sports listed in the proposal. It preserves the one play date in those sports. It also limits the number of practice activities to four per week. Dan, I think it is arguable which of those, 62 and 63 are, in fact, more restrictive.

Mr. Calandro: Okay. Thanks a bunch, Dan. I appreciate it.

William Klika (Fairleigh Dickinson University): In Proposal 60, it appears in our effort to treat everybody evenly, we have not because the sports that do not have nontraditional seasons will receive a cut in the traditional season. The sports that have nontraditional sea-

sons can take the cut out of the nontraditional season and also the sports that have dates of competition, if you dropped the date of competition where you had a single contest, and then added one date where you had multiple contests, you have taken a cut that actually is added to the number of contests.

The two sports that you are considering—football and basketball—their cuts come from traditional seasons. Other sports have the option of taking cuts from the nontraditional seasons.

Mr. Dutcher: Bill, we did talk about those things. We heard last year that there was some concern about the proposals that were ultimately voted down last year. Basketball and football were not included in that reform package.

This year, we did include those knowing that there would be some criticism for doing that. But in going back and looking at the basis for all of the reforms that we are talking about today being in the Division III philosophy statement, or hopefully being based there, we tried to treat all sports equitably. You can talk about whether or not they are equal or equitable. Obviously, there is a difference there. But there was an effort to try to treat all sports equally. We did listen to the student-athletes a lot about contests. If you will recall, last year we talked about trying to make some substitutions of contests in the nontraditional or even practices, and the students told us that practices were not the same thing as contests, which led us to the discussion of a nontraditional contest or I should say the worth of a nontraditional contest versus a traditional contest.

Your point is valid. I know that there are others who share that same view. Ultimately, when you are talking about an issue as large as this one, we came down to sort of a basic agreement that a contest is a contest. I know that can be argued depending upon what part of the year it is in, but in that regard Proposition 60 is very different than some of the others that still allow institutions to make those decisions within traditional or nontraditional seasons.

Leah Nilsson (NCAA Staff): The only thing I would like to point out is that Proposal 60 has a delayed effective date of two years. If there are sports the membership believes are particularly adversely affected by that 10 percent, there would be two years to tweak the model. But, as you just heard, the 10-percent reduction across all sports really was the emphasis of the proposal.

Monmouth Williams (Ithaca College): The date that I have read relative to athletes participating in campus activities suggests that it is not time available but cultural issues that athletes share.

I was wondering what data did the committee have that would suggest that athletes, if they had more time, would be more active in campus activities?

John Harper (Bridgewater State College): That is my alma mater, I am proud to say. I will answer that by not answering it. How is that?

I go back to the charge that President Courtice gave us a couple of years ago to go forward with trying to get into the spirit of reform. One of the things that we have looked at is that word that you used—"culture." At the Management Council meeting the other day, President Brand did use that and told us that once whatever happens at this Convention happens, and we put whatever it is into place, we need to assimilate that into the campus culture.

I don't know if that is anything that any legislation can particularly do. So your point is well taken. We did talk about trying to effect the entire participation opportunity for our student-athletes. I know most of the discussion was based on input from the membership. More than 70 percent of the membership—I could certainly be wrong on that number—did want to see some type of reduction in playing and practice seasons. One could argue whether or not that is an accurate opinion. But I think we dealt with the input that we had.

They didn't say they wanted to cut 5 percent or 20 percent. They just said they wanted

a reduction. I think that is where we came out. Your point is well taken. I have probably not answered your specific concern, but that is how we got where we did.

Connee Zotos (Drew University): I would like to add to that, also. One of the other pieces that springboards on that is many people will say even if we did allow more release time for the student-athlete, they probably would just play anyway. My opinion on that is unstructured play is a very different experience than structured play. There is a lot of value to pickup play. I know very often when I watch our athletes play out-of-season on their own time, they are playing with a lot of different non-athletes. They are structuring their own environment. They are displaying some leadership qualities that sometimes a structured environment doesn't afford them. I would say that even if they elected to play anyway, it is a different experience and one that we should encourage as well.

Chris Martin (College Conference of Illinois and Wisconsin): John, I'm trying to follow up on your comments in response to that question about why the subcommittee focused on 10 percent, considering last year that this similar proposal was defeated by the membership and the governance structure focused on the nature of the sport. I am curious why it's 10 percent. Why not 25 percent? Why not go further? Why not go shorter? Where did that 10 percent come from?

John Harper (Bridgewater State College): That is a good question. We did talk about that in our subcommittee meeting just yesterday. There was some discussion that one to two contests per week was perhaps an easier place for us to start from to try to sell the proposal. Last year's proposal didn't go, so obviously there was some problem with that. But the whole thing was essentially based on the belief—and again one can argue this—that 60 percent of the student-athlete's time should be the maximum amount of time that he or she participates in intercollegiate athletics during a semester. Parenthetically, that could probably work off the gentleman from Ithaca's question. With that 60-percent reduction, it turned out to be an overall 10-percent cut in the weeks and then another 10-percent cut in the contests. That is how that came about.

Mr. Martin: You took that across the board in all the sports, including the sports that don't have a nontraditional date. They automatically take a cut off their traditional the same way. That's helpful. Thanks, Jim.

Mr. McCardell: I am not aware of other speakers desiring time. If not, then we move on to Membership Proposals 65, 65-1 and 66. Chris Bledsoe and Doug Hastad will present these.

Chris Bledsoe (New York University): Good morning. I am going to speak to Proposals 65 and 65-1.

Proposal 65 would eliminate the waiver that permits some Division III institutions to offer athletically related aid in their Division I sports. The current bylaw, 20.7.1.1, allows those institutions that sponsored a Division I sport in 1982-83 to be granted a waiver to the Division III financial aid regulations. Any institution that reclassified a program to Division I after 1982'83 is not eligible to use this waiver. Proposal 65 removes this waiver with a delayed effective date of 2008.

As background, let me highlight a few of the important points in the history of multi-division classification. In 1973, the three divisions were created. Division III institutions were permitted to classify one sport in Division I other than football or basketball and were required to abide by the Division I bylaws in that sport. In the early 1980s, institutions with a Division I sport were required to apply the rules of both divisions or the more stringent rules if both divisions had a rule on the same topic. At this time, the waiver at issue was created. In 1987, a vote to eliminate multi-division classification for all sports was defeated by all three divisions. In 1991, there was a proposal to eliminate multi-division classification in all divisions, while permitting Division I schools that sponsored that sport to vote to continue to allow those schools to play up. That proposal was approved in Divisions I

and III, but failed in Division II and thereby failed throughout the Association. I have highlighted the history of multi-division classification to point out that the membership has considered legislation related to this issue at various times since 1983.

When the existing financial aid waiver was adopted, the Convention discussion noted that new legislation would be necessary to change the status of schools that received that waiver. There is further information on Proposal 65, which has caused some people to wonder if the student-athlete receives aid in a Division I sport, is that student-athlete allowed to compete in a Division III sport? There was an interpretation that has now been incorporated in the Division III Manual that states that a student-athlete may not receive aid in a Division I sport and then compete in a Division III sport in the same academic year.

Moving on to Proposal 65-1, the amendment to Proposal 65. The amendment permits those eight institutions currently offering athletically related financial aid to continue using the waiver that permits awarding of that aid. The amendment states that an institution that was eligible for the original waiver in 1982 and utilized the waiver last year in 2002-2003 may continue to do so. Conversely, if an institution offered a Division I sport in 1982-83, thus qualifying for this waiver but did not use the waiver in 2002-2003, that institution may not use the waiver in the future. Under the amendment, any institution elevating a sport to Division I after 1982-83 may not award athletically related financial aid unless for gender-equity purposes.

Specifically, the language in the amendment states that the institution must have sponsored the Division I sport in 1982-83 and have been granted a waiver prior to January 1, 2004. Further, the institution may later request the waiver be applied to a sport for the other gender if approved by the Management Council and if necessary to attain gender equity for the program. Thank you.

Douglas Hastad (University of Wisconsin, La Crosse): Proposal No. 66 is a resolution regarding strategic planning and membership growth. The resolution establishes a commitment on behalf of the governance structure to address issues related to membership growth. In addition, it lays out a plan to address several topics in relation to the size and diversity of Division III. The commitment to the governance structures and specific areas to be discussed include the following:

- Membership growth and diversity.
- Broad-based program philosophy.
- Postseason access.
- Access to other programs and services.
- Institutional and conference legislative autonomy.

Ideally, legislation will be presented in two years at the 2006 Convention or beyond if appropriate.

Mr. McCardell: Thank you. The floor is now open for questions or comments on these proposals.

From the Floor: I would like a clarification with respect to the matter of what makes an issue moot. If Issue 65 were to pass, would 65-1 be in order, or would it then be considered moot?

Dan Dutcher (NCAA Staff): The legislation progression is that 65 would be moved first, and then it will not be considered until a substitute amendment to amendment is moved.

From the Floor: Would it then be in order, when 65 comes on the floor, for a motion to take up 65-1 for vote before conclusion on 65?

Mr. Dutcher: That would be the progression.

From the Floor: Will the chair recognize someone for that purpose?

Mr. Dutcher: Yes, sir.

Mr. McCardell: If anyone else has a question, the chair will be happy to recognize you. The allocation of time for these various proposals was perhaps a bit miscalculated in setting

up this morning's proceedings. The time that exists will allow us after Suzanne Coffey takes us through the additional legislation to re-open the floor for discussion of any matters. I very much hope and would indeed encourage individuals with questions or comments about the legislation to use this time for that purpose and to share those views with everyone in the room so that we can all be enlightened by those opinions. Before we do that, Suzanne Coffey will speak about additional legislation.

Suzanne Coffey (Bates College): I will start with Proposal 67. The sponsors of Proposal 67 have indicated their intent to withdraw this proposal. The Championships Committee will submit legislation at the 2005 Convention regarding implementation of the automatic-qualification principles for the sports of golf, tennis and cross country. The exact implementation timetable for each sport has not been determined, but the Championships Committee has established principles and a time line to meet the 2005 legislative deadline for the individual-team sport AQ process. These principles include establishing a 1 to 7.5 team ratio access and maintaining current individual qualifier access. They also include fully funding championships, including necessary regional competitions and ensuring equitable access for independent institutions and institutions in conferences that do not receive automatic qualification through Pool B. The Championships Committee is working closely with the individual sport committees on appropriate changes to the selection process and bracket formats to accommodate the increased bracket sizes.

Preliminary results of the financial feasibility study to add tennis, golf and cross country to the team sports groupings for automatic qualification will be reviewed by the Championships Committee at the end of this month.

Proposal 68 requires as a condition of NCAA membership that an institution certify annually the insurance coverage for athletically related injuries sustained by student-athletes. This proposal is the result of an analysis and study by an NCAA task force charged with reviewing student-athlete insurance programs, the Association's portfolio or business insurance policies, and contingency planning for Association events. This proposal does not require an institution to finance the insurance. Let me say that again. This proposal does not require an institution to finance the insurance. Rather, the proposal requires member institutions to certify that student-athletes present proof of insurance. If institutions desire to fund the insurance coverage for student-athletes, current legislation permits such funding since the insurance would be incidental to a student-athlete's participation in athletics.

Proposal 68-1 amends Proposal 68 to delay the effective date from August 1st, 2004, to August 1st, 2005. An effective date of August 1, 2005, provides more time for institutions to implement an appropriate insurance certification procedure on campus and gives the NCAA staff more time to educate the membership about the certification process.

Proposal 69 exempts competition in one championship tournament among independent member institutions conducted after the end of the regular season and prior to the NCAA or national governing body championship. This proposal does not apply to fencing and football. Legislation currently permits one season-ending tournament in fencing and the sponsor did not want the exemption to apply to the sport of football. This proposal would establish a similar exemption and postseason competition opportunity for student-athletes at independent institutions that currently exist where institutions belong to conferences. The exemption would provide student-athletes with a postseason experience regardless of whether the institution or the student-athletes are selected for NCAA championships competition.

Proposal 70 permits the coach to engage in coaching activities when student-athletes participate in established national championship events or Olympic, Pan-American, World Cup or World University games qualifying competitions. Current legislation allows an institution to provide travel expenses for coaches to accompany student-athletes to these events, but it is not currently permissible for the coach to engage in coaching activities while attend-

ing the event if the event occurs outside the institution's playing season. Under this proposal, if the event occurs outside of the season, a coach could provide coaching instruction during travel to and from the event and during the event itself. It would not be permissible for a coach to train a student-athlete prior to the actual event, however.

Proposal No. 71 permits an institution to play an exhibition contest against either a Division I or Division II institution between November 1st and the first permissible contest in the sport of basketball. Under the legislation, institutions are permitted to play in the Basketball Hall of Fame Tip Off Classic, or against a foreign team before the first permissible contest date. This proposal would allow a Division III institution to play an exhibition contest against a Division I or II institution in that same manner. While an exhibition contest would not count toward the institution's won-loss record, it would count toward the institution's maximum contests limitations for that year. Therefore, this proposal neither increases the number of allowable contests nor lengthens the playing and practice seasons.

Proposal 72 amends the current maximum contest limits for multi-day events in the sport of track and field. This proposal stipulates that the first two days of a single track and field contest counts as one date of competition and any remaining days count as additional dates of competition. For example, a team or individual that competes in each day of a three-day track meet may count that contest as two dates of competition. Similarly, a four-day meet would count as three days of competition. This proposal would permit an institution to include not more than four multi-day events within the maximum contest limitations. Thank you.

Mr. McCardell: Thank you, Suzanne. Are there any questions related to any of the matters just presented? If not, here is what we propose to do. The chair is disinclined to interpret the relative lack of questioning and comment on these various issues to be reflective of anything approaching unanimity or consensus within the membership. I would love to discover that this disinclination is misguided, but I rather think there is a good deal more contentiousness and discussion and debate that is apt to take place on many of these matters than the last 90 minutes may have reflected. I would ask you to keep in mind that a number of conferences have not yet had the chance to discuss and debate and take a position on these questions. Those discussions are apt to be a good deal more informed by information that is shared in this forum in public, in front of everyone before those meetings take place.

We have the precious gift of time before us. We have about another 30 to 45 minutes to engage in that discussion. I would like to offer as much encouragement as I can to you to open the floor for questions or comments on any of these matters so that the collective body may have the benefit of your insight and so that we might have a better sense of where the concerns reside on these proposals. This is an opportunity for discussion and debate that we must not let pass by.

Stanley Caine (Adrian College): With regard to No. 60, Limitation of Playing and Practice Seasons, I have assumed that the response of the membership related as much to the matters of economics as to the cultural issues that were raised this morning. In fact, for many institutions that have to cut institutional budgets and try to reallocate resources in these tight times, they run into questions of trying to eliminate sports or perhaps make major cuts in all of the sports, but because 10 percent in playing and practice seasons would facilitate the ability to keep a balanced and broad-based program of athletics in these tight times, I have heard nothing about that this morning.

Perhaps that matter didn't come up in your discussions. I would be interested in hearing about that. To me, that is an important consideration.

Connee Zotos (Drew University): The primary motivation behind the legislation is student welfare. That becomes an ancillary benefit. It was discussed as an ancillary benefit, but I don't think that we wanted to put money concerns as our primary indicator. That will

help many institutions trying to make hard decisions. The central part of the discussion was allowing student-athletes to engage in different ways on our campuses.

Don Luidens (Hope College): I appreciate the work of the Management Council. It has been diligent in its effort toward reform. When I understand reform, however, I generically think in terms of what is wrong and what needs to be corrected.

I hear instead that 60 percent was rather arbitrarily chosen out of the air to be the playing time that would be acceptable. Sixty-seven percent would have kept us from having this discussion because it would have been in coordination with what we have right now. If I heard as a faculty athletics representative evidence that suggested that the move from 67 percent down to 60 percent did, in fact, correct something that was, in fact, a reform, you can bet I would be wholeheartedly behind it.

But I am inclined to think that the elephants on the table may have more to do with who has the power at this stage to say what we are going to do. I am rather skeptical myself whether or not we are being in a position where we will have to say either we approve this and, therefore, we are for reform, or we disapprove this and we are against reform. Believe me, if there was evidence that suggested to me that the student's academic experience was enhanced by that extra 7 percent, was enhanced by their extra participation or decreased by not doing that, I would be in favor of it. But I see it as a rather arbitrary choice that got us into this discussion today. I would love to see evidence that suggests—I didn't hear it presented—this really will make a difference in their academic experience.

Student-athletic committee people have been opposed to it in our institutions. The students are strongly opposed to it. It sounds to me as a faculty member that we are finding ourselves in a bit of a power struggle. I would hate to have the issue of reform derailed because we have a power struggle going on.

Donna Ledwin (Allegheny Mountain Collegiate Conference): I am very sorry that Charles Shubert is not here to address this group on the important issue of 65-1, but I will ask the question instead. I am curious if one of the sponsors of 65-1 could answer the question about why they would sponsor legislation that would only include the eight institutions and not leave the opportunity for other institutions that do sponsor a Division I program that would perhaps like to offer athletics aid.

I have served on the Membership Committee. We have received a request from one such school. I found it difficult to respond to its request because the legislation says we could not grant a waiver to the school to award scholarships. There are schools out there that give them. It just seemed to me we are talking out of both sides of our mouths on this issue. I find it very difficult to allow exceptions to one group but not to others that are very close to the same situation on a topic that this group has said awarding athletically related financial aid is appropriate in this division.

It is not appropriate for certain people after a certain point in time, but it's okay if you came in before a certain point in time. I have a hard time understanding what the date of entry of your program into Division I has to do with the basic principle of it being appropriate or inappropriate to award financial aid. I am curious as to why they didn't just include everyone with the same opportunity they are asking us to give just to them.

Mr. McCardell: The chair will interpret that question as rhetorical unless one of the sponsors would like to respond specifically to it.

Bill Brody (Johns Hopkins University): We are obviously dealing with a historic precedent situation for which we felt there was nothing broken and didn't need to be fixed. But the eight institutions were cast into somewhat of a defensive position by Proposition 65. We were forced to respond.

We responded in that spirit of preserving the core Division III principles. I recognize that life is not totally fair, but we felt that this was the position we were placed in and this was the appropriate response. I should also say that each of the eight institutions are here. We

have spent a lot of time trying to educate the membership on the waiver. We certainly will stand ready if any of you want to come up afterwards and talk to us about it.

Jerry Boyes (Buffalo State College): In regard to Proposition 59, could you explain how the self-release protects students from retribution from the current institution, especially when a transfer institution will eventually contact that student's current institution in a timely fashion? I am not so sure that our current system needs fixing.

Leon Lunder (Carleton College): The ability of a student-athlete to contact an institution on an investigatory basis to find out aspects of that institution can be done by any student. Even a student who does not participate in your athletics program can go to a new institution and talk to them about athletics. But a student-athlete at your institution is unable to do that without gaining permission from the athletics department. The self-release would allow that student the same right that a non-student-athlete has to investigate all aspects of a possible transfer.

It's true that if the second institution deserves to get all of the information immediately, that the waiver issue in some respects is tempered that way because the primary institution would then be notified immediately. This just allows student-athletes the right of choice, the same as a non-student-athlete would have at their particular institution.

Connee Zotos (Drew University): There also was an assumption that once a student-athlete received the self-release, that if you desire that information back from the institution that you are coming from, you would have that conversation with that student-athlete. You could say before we go very far down the road with you, we want to get this information. The student-athlete at that point would have the right to say I would rather you not do that and walk away from the situation, or investigate for a few days, talk to the coach, and then give you the okay to go ahead and do that? It will give them a little power in the process to have that dialogue before that exchange was made.

Susan Bassett (William Smith College): There also was an issue of student-athlete welfare. We were hearing about cases of students actually being denied the opportunity to contact an institution. This prevents that.

Charles Mitrano (Empire 8): I hope that throughout the next few days that we are able to keep our focus on the impact on the student-athletes rather than the administration or the coaches of our institutions. Certainly, the student-athlete is the paramount interest as educators. I hope that focus is not lost.

I have a question about Proposal No. 72. It is my understanding that a multi-day event exceeding two dates of competition is then reverted back to a single date of competition. Currently the cap is 18. With this proposal, the cap does not reduce. We are providing the opportunity to reduce the dates that are countable. I think that would lead to the ability to add additional dates. Is that accurate?

Leah Nilsson (NCAA Staff): Legislatively, yes, that is accurate.

Mr. Mitrano: With the push of reform by the NCAA Presidents Council and the Management Council, with the focus on the reduction of contests, is this seen as somewhat of a conflict to the philosophy of the NCAA?

Ms. Nilsson: This was seen as a particular need in the sport of track and field. As was mentioned earlier, if there is a particular need in a particular sport, there is always room for a tweak in the playing and practice seasons. Proposal 72 is a membership-sponsored proposal. The emphasis behind it was the nature of the decathlon and heptathlon and other events that run a prelim on one day and the final the next day. Due to the nature of the sport, it really makes sense to count the contest in this manner.

Mr. Mitrano: Was the same consideration given to all sports in which that may be applicable as well?

Ms. Nilsson: It could be. This came from the membership. I either defer to the sponsor or just suggest that it could be.

Mr. Mitrano: Thank you.

Mike Clary (Rhodes College): Perhaps there are some among us like myself who have less experience and wisdom than some of our colleagues who have been attending these proceedings for many years. As someone who is currently struggling, not so much with the length of playing seasons but with the reduction of contests, I would like to ask some help of some of my colleagues. To provide some perspective, I would like to ask a couple of questions, not necessarily to the panel, but perhaps to some of our more seasoned colleagues.

How long have we been using the 21-week model? Why do you believe this to be prudent legislation when it was originally adopted? Understanding contest limits have been tweaked over time, generally speaking, how long have we been using the current contest limitations and how did we get to the current numbers, believing these numbers to be prudent when this legislation was adopted?

I know at one of my earlier Conventions, in the early '90s, I heard somebody talk about how the 21-week season was originally adopted. If my memory serves me, I remember it revolving around trying to make it equitably work in men's and women's basketball. I would be interested to see if somebody could give some perspective on how we got there, and how did we get to the current number believing those to be prudent numbers? Thank you.

Mr. McCardell: There are questions of fact and also questions of spirit there. I think we can do better with the first group than the second. We would be delighted to hear from the floor as to the factual questions.

Leah Nilsson (NCAA Staff): The 21-week model came in the late '80s. We don't have the exact date, but it was definitely before 1989. There was a question about how long have we had this current model. The current model is constantly in flux. If you look back 10 years, the weeks have been consistent, but the contests limits are ever changing.

Lorna Edmundson (Wilson College): I am very sensitive to these issues of exception. I think it is difficult to make exceptions. If you start making one exception, then where can you go from there? Almost all of the gymnastic teams in our division—I think there are only nine—are very concerned because of the issue of injury when you don't have your coach available for the weeks and months intervening. I simply put that on the table. I don't know if gymnastics has come up as a concern. Since there are so few of us that have a gymnastics team, I thought maybe I better mention it. But I am very sensitive to this issue of making exceptions. I think it is a tough call.

Richard Wells (University of Wisconsin, Oshkosh): I would like you to reflect on the membership surveys. Obviously, the Presidents Council and the Management Council are pushing for reform. It seems to me that in the membership surveys there was a call for reform. A democratic organization uses membership surveys.

Would you characterize that as a call for reform from the membership? If so, what types of results would suggest that the membership was calling for reform?

Mr. McCardell: That is a great question. Let me take a stab at that and then invite my colleagues to comment on that as well. To begin with, it reminds us of a very important reality that has shaped this conversation almost from the moment it began. The proposals at this Convention without exception can be tied back to responses received from the membership. I speak specifically about the questionnaire that was circulated last spring. I think it was mentioned earlier that we had a remarkable response rate of 79 percent of the member institutions' presidents. There is good reason to believe that the responses to those questions were reliable and authoritative. In the course of asking the questions, it became clear that there were some topics that people felt a stronger impulse to reform than others. There were some that there was clearly no consensus. For example, there is not a proposal being brought before the membership this year about revamping the championships format. When that question was posed to the membership, there was such a diversity of opinion about it that it seemed imprudent, if not reckless, to proceed to develop legislation on that topic.

In every case where legislation was developed, it was in response to what not only was perceived to be, but statistically there was a substantial indication of support—whether strong or simple—for changes along the lines now being presented in the topics being offered. I would certainly not discourage those who might challenge the proposition that these reform measures are not reflective of the will of the membership. However, that challenge is going to have to explain to us why it is that the questionnaire and the responses to that questionnaire were what they were and how those responses don't line up with what is being proposed.

I invite Susan, Bette or my other colleagues to respond.

Susan Bassett (William Smith College): The survey absolutely guided every step of our work and went from the return and then the subsequent focus group information. Our subgroups worked through the late spring and early summer leading up to a task force meeting in July. In every conversation as we progressed down one road or another, we asked ourselves what did the survey say? What did the focus group say? We used it as a guide. It came from you. I would also point out that the membership survey said fairly overwhelmingly to leave nontraditional seasons alone. Yet, you see before us some membership-sponsored proposals that deal with the nontraditional seasons. That is what this governance structure and our legislative process is all about. The survey was central to our work.

John Hill (Shenandoah University): I would like to go back to Proposal No. 59 and the self-release. If the intent is to allow a student who has been denied by that institution's self-release, I am in total favor of that. In over 30 years, I have never been in a position where I have not allowed a student to be released.

If we are in favor of self-release, I would say it should be immediate notification of that institution that they are transferring from, because the students can now by way of parents or friends get information on transferring. But to say without fear of negative repercussion of putting that in there, if someone calls me about a release, then all I want them to do is to notify the coach. They notify the coach of their release, and in 26 years of coaching basketball, every year I have had one or two kids who wanted to transfer. Maybe that might have meant they needed a little compliment, an answer from me, or more attention. If they truly wanted to go home or be closer to home or transfer, I allowed that.

Many of my great athletes wanted to leave after the first year. I would like our coaches to have the opportunity to speak with the athlete to ask if he is sure we can't do something to get him to stay. I think people jump too much. But I would be in favor of self-release if there was notification of the institution so that we would have an opportunity.

One other thing. You were putting coaches who might be friends in an awkward position. If one of our athletes contacted Bridgewater and they know that they want to transfer, they have contact with us. They are talking to our athletes, but they can't say anything. It puts coaches and friends at a disadvantage by your giving information. It is easy now if someone calls us to say, notify your coach, we have to have a release. I think that the host institution should be notified, but the students should be able to self-release.

Leon Lunder (Carleton College): I guess I would say I appreciate your perspective on the issue. I think it was more a rhetorical statement than a question. I appreciate that perspective.

Tim Shea (Salem State College): I am confused about the survey results having to do with the red-shirting proposal. If I remember them correctly, it is only 40 percent who were in favor of some type of change. How was the decision made to include that as a piece of proposed legislation?

Mr. McCardell: I don't have the questionnaire results in front of me. I am going to have to turn to one of my colleagues.

Mr. Shea: Everybody just spoke to how the survey was referred to. I just don't understand how that one made it.

Susan Bassett (William Smith College): I think it was about a 50-50 split on that when you considered somewhat support and support.

Mr. Shea: Forty percent supported, 43 percent opposed. I am not sure where the other 17 is.

Ms. Bassett: Yes, we included the somewhat support. I agree with you on that one. That was a close call. We felt that around 50-50, and in that regard, we went forward with it.

Mr. McCardell: At that point, it becomes a judgment call. If something approximating half of the membership feels strongly about something, you are probably better advised to take it up and let the membership decide which side of it prevails.

Michael Hanna (Hobart and William Smith Colleges): I would like to speak to Proposals 65 and 65-1. One of the factors in these two proposals is that the sports involved, for instance, hockey and lacrosse, are not national sports. This situation is a relatively small phenomenon in Division III athletics. I say that to urge everyone's attention to become fully informed on the issue and understand the situation of these eight schools and that their Division I programs on their campuses are really a major thread in the fiber of their institutions.

I gained a first-hand insight into it as a parent of a son who had an opportunity to have a wonderful experience in one of these multi-division programs at one of the eight schools. I not only learned how important it is to these student-athletes, but also to the alumni, parents and friends of these institutions. As a director of athletics since 1981 in a conference that has three of these eight members, I can tell you that I have not had one of our coaches ever say to me that one of those three schools has a competitive advantage over our women's basketball program or our men's soccer program because they might have Division I ice hockey.

Susan Bassett, my colleague, and I oversee a multi-division program at Hobart and William Smith. Our men's lacrosse program moved up in 1995. We understood the rules when we did that. We understood that the waiver would not be extended to us. We continued to understand why that cannot be done.

While we all need to agree that our philosophy and rules extend to us, we also live in a day-to-day world of agreements and trust. I believe that we should honor the decisions that were made by our predecessors and allow these schools to continue to stand on their strong histories. If we are to live by the letter of the philosophy of Division III, by the letter of it, then we should eliminate multi-division classification altogether. You are either in Division III or you are not. We have not done that. What we have done is potentially crippled these eight schools and run the risk of sending them back to their campuses to face havoc.

Four-hundred-plus of us will go back to business as usual. They would go back to a tremendously difficult situation. I urge you to become fully informed about the excellent proposal they have put out and to allow the important situation that they currently have to continue. Thank you.

Linda Moulton (Clark University): I have a question and a comment on the financial aid legislation. I am actually a little surprised that no one got up to ask the question about why we didn't see the results of the pre-pilot survey, which we were told we would receive prior to the Convention.

While the summary was helpful, I think it would have certainly helped us at Clark to have seen the results to have an opportunity to talk about those in our campus and be able to come here and perhaps ask some good questions about how those results were achieved. Why did we not get the results of this survey? Is there going to be an opportunity to see the results of the pre-pilot?

Kevin LaGree (Simpson College): We did send out a memorandum that summarized the results of the pre-pilot to all the institutions. That was sent out in December. But the

individual data from the pre-pilot is pertinent to the question. Confidential data and individual reports will go to the schools that participated. I don't think it was ever our intent to distribute that report that had specific data about each institution throughout the division. We did send out a memorandum December 21.

Ms. Moulton: It could be that we misunderstood at Clark. I think we thought without mentioning institutions we would see what the variances looked like to have some idea of actually what the survey results would yield. That could be a misunderstanding on our part.

Mr. LaGree: We are sorry if we contributed to that in any way.

Ms. Moulton: I know the issue of financial aid has been around a long time. The survey clearly indicated that it would be of great interest to the membership. While I can appreciate the information not going beyond comparison of the athletes and non-athletes within each institution, I think that the larger concern for many of us is why there are such large differences in some packages at some institutions versus others. We can certainly determine what we are doing on our own campuses. I am not quite clear that it will still get at some of our concerns about why a student-athlete receives a significantly different package at one place versus another. That's just a comment and not necessarily a question.

Mr. LaGree: That is an issue that arises occasionally within conferences. Bylaw 15.4.1 doesn't address that issue. It addresses only the philosophical premise of Division III that within each institution students who participate in intercollegiate athletics and those who do not have similar financial aid packages and they are treated similarly.

If 56 is adopted tomorrow, every institution will be involved in the next pilot. You would have data about your institution available to you. I know feedback from that pilot would be really important to the Financial Aid and Awards Committee as it sets up the final procedures for this reporting process.

Mr. McCardell: We are prepared to take one or two questions or comments. I also want to make sure we allow time. President Brand is with us. He has been observing most of these discussions. We would like to hear from Myles before we wrap up.

Carlyle Carter (Minnesota Intercollegiate Athletic Conference): I would like to revisit Proposal No. 60. I am wondering if the committee thought about the possible effects in contest reduction on larger conferences? For instances, we have 12 women's programs in our conference. Typically, a double round robin.

You could probably tell with the reduction in contests it would greatly limit our opportunities for non-conference in preparing for a conference season. It is very easy to say we could just restructure, but when we do that, if we go to divisions, we end up affecting our traditional rivals a lot, which our members do not want to do. I wondered if you considered the impact of the reduction since our independent members rely a lot on our conference members to fill out their schedule? By reducing the games, our independent members potentially have a problem with scheduling.

John Harper (Bridgewater State College): The answer to both of those questions is yes. We did take into account both the larger member conferences. There are a number of them, as well as the independents. Happily, we do have independent institutions represented on the Management Council. Both of those took up quite a bit of our time. Carlyle's point is well taken. Perhaps easier ways of dealing with it for those of us who don't have to deal with it, is the restructuring issue. That is a much bigger topic than just acknowledging it and asking a conference to go and do that.

I will pick up on the comment about traditional rivalries. Unfortunately, with any type of a change or reduction in playing and practice seasons, that will be an issue that does have to be dealt with. The quick answer to that, which certainly is not the answer that I am offering, is we will have to deal with that and figure out some way to either restructure those rivalries and reschedule them, or perhaps develop new rivalries. I don't mean to make light

of any of these concerns, because they were discussed in great detail. The Playing and Practice Seasons Subcommittee put a great deal of time into this knowing that with the vast array of areas of interest represented in this room, that it would be very, very difficult for us to reach consensus. The best that I can offer Carlyle is to say we did consider both of those situations and tried to offer the best result that we could.

Connee Zotos (Drew University): The other thing to note about the reduction in our effort to be equitable this year, which again we came under great criticism last year for not being equitable in our cuts, is that when we look at the reductions we asked ourselves does this damage any sport in an incredible way? The answer we got was no. The other answer was that we were not experts in every sport. We couldn't predict what this would do for every sport. That is why I wanted to reiterate what Leah said before. We spent time talking about how this two-year window of opportunity before this would become effective gives people plenty of time to create new legislation to address what may be very valid concerns from sport to sport about some of these reductions and deal with those on a one-by-one basis.

Mr. McCardell: Thank you. As we proceed toward adjournment, in a moment I will ask Myles Brand to share some thoughts with us. I have a couple of logistical matters to note. Immediately after this forum, there will be a luncheon, an issues forum for all CEOs, that will take place in the Magnolia Mezzanine Ballroom. I certainly invite all CEOs to join us for that event. For other delegates, lunch will be served outside this room.

I want to thank all of you for your attendance and your participation. Before we adjourn, I would ask President Brand to share some thoughts with us.

Myles Brand (NCA President): Thank you, John. I want to repeat what some others have said. I'd like to thank the Presidents Council for their thoughtful and extensive work in bringing before you a reform package that is worthy of consideration. They have worked hard at it, but you are the decision-makers. Division III is different from Division I in many ways. One of the ways is that it has retained a participatory democracy in the way that Division I has not. Individual members are voting on these critical proposals.

Think carefully through what you have heard today—it was a healthy exchange—and make your decisions. I also want to, since I don't have a vote, to be able to say what I think. This reform package as a whole should be given favorable consideration. It is just not the hard work of the Presidents Council, but the thoughtfulness for the future of Division III that is at issue. I do understand clearly that some of the proposals are highly controversial. To name one example, Proposal 65.

You want to give those individual controversial proposals your thought and take advantage of the information you have received not only at this meeting but from other sources as well. Do not let a controversial proposal, which you may vote one way or the other, influence your overall perspective on the reform package. What counts is the core of the reform package. Look at that very carefully. I do urge favorable consideration of it.

Thank you, John.

Mr. McCardell: Thank you, Myles. Thanks to all of you for joining us this morning. We stand adjourned.

[The meeting was adjourned at 11:25 a.m.]

Division III Business Session

January 12, 2004

The Division III business session was called to order at 9:15 a.m., with Presidents Council Chair John McCardell, Middlebury College, presiding.

OPENING REMARKS

Mr. McCardell: Good morning. This session is now in order. I am John McCardell, president of Middlebury College, and chair of the Division III Presidents Council. I will chair the first portion of today's session.

Joining me on the platform today are Susan Bassett, director of athletics at Hobart and William Smith Colleges, and chair of the Division III Management Council; and Georgana Taggart, coordinator of paralegal studies and faculty athletics representative at the College of Mount St. Joseph, who will serve as our parliamentarian. Also, Dan Dutcher, who is NCAA vice-president for Division III, Bridget Belgiovine, who serves as the NCAA's director of Division III, Leah Nilsson, assistant director of membership services at the national office and our lead Division III legislative liaison, and Leland Zeller, associate director of membership services.

Our court reporter is joining us again today to create an accurate record of our meeting. Please remember as you come to the mic to speak to give your name and your institution or affiliation, so that you can be properly identified in the records of the meeting.

Before we begin our proceedings this morning, I would like to recognize the presence of and invite you to join me in thanking Myles Brand, whose leadership in his first year at the helm of the NCAA has been so very effective, and whose support of our efforts in particular in crafting and carrying forward this reform agenda have been supportive. Myles, we thank you for your support and we thank you for being with us this morning. (Applause)

I would like to briefly review today's agenda and timetable. Our goal between now and approximately noon is to discuss and to vote on the 13 legislative proposals and any related amendments that make up the Presidents Council legislative grouping. Those are Proposals 55 through 67 in your Convention Notice and Program. When we complete those 13 proposals, we will break for lunch. After lunch, we will reconvene in this room to elect the new members of the Management Council. After that, we will open the window for motions to reconsider any of the final roll-call votes that were cast during the morning session. Once we close that window of reconsideration, we will address the final six proposals. Finally, we will open the window of consideration for those six proposals. Our goal is to conclude this afternoon's session by about 3 o'clock. It is a full agenda, particularly this morning. We will need to do our best to stay on schedule.

We have had various opportunity to discuss our legislative proposals in detail yesterday, first at the legislative issues forum yesterday morning and during various conference and institutional meetings that took place over the balance of the day and again this morning. It is certainly our sincere hope that these discussions have given ample opportunity and beneficial settings for you to hear the issues, to weigh them in your own minds and to cast an informed vote on the important legislation that we will consider today.

It is not an exaggeration to note that this is one of those potentially magical moments in the life of the Association, and particularly in the life of this division. For a great many people in this room, it is a moment that brings to closure a protracted period of consultation of very hard work and an attempt to do what best reflects the views of the membership, which

seeks to make a very profound, a very important and a very timely statement about the role of athletics on our campuses. On behalf of the Presidents Council, I want to thank everybody for the time and the attention that you have given to these matters, and to thank you in particular for weighing the arguments as you cast your vote. Today looks to be a very significant day.

It is now time to adopt our Convention Notice and Program and consider our various legislative proposals. To lead us through that process and through our business for the balance of this morning will be the chair of our Management Council, Susan Bassett.

Susan Bassett (Hobart and William Smith Colleges): Thank you, John. Good morning. Our first formal order of business is to adopt the Convention Notice and Convention Program.

[Note: Wireless voting procedures were explained.]

Before I ask for a motion to accept the Notice and Program, I would like to point out that Page 4 of the Program describes various corrections and editorial revisions to the Notice. None of these are controversial in nature. However, we also will try to remind you of those corrections when you address specific proposals. When we vote to accept the Convention Notice and Program, we will vote on the proposals in the order they appear in those publications unless they are re-ordered. If you intend to move to re-order a proposal, now will be the time to do so. Please note that any re-ordering of the proposals designated for roll-call vote must also occur via roll-call voting. By adopting the Notice and Program, you are adopting all of the appendixes that are found in the Convention Notice. This includes four legislative appendixes of note. One is the chart in Appendix B. Pages 164 and 165 of that appendix illustrates the application of Proposal No. 60. We will discuss that proposal in more detail later this morning. Second are the interpretations in Appendix D, starting on Page 175, which are to be incorporated in the NCAA Manual. Third is a grouping of non-controversial amendments in Appendix F, which starts on Page 251. The fourth legislative grouping is Appendix H, which includes the modifications based on intent. It starts on Page 313. The amendments in the appendixes have been approved by the Management Council and the Presidents Council and are published in the legislative services database (LSDBI). We will not discuss any of them individually unless you move to do so. If there is such a motion, it is debatable and requires a majority paddle vote. We then vote to accept the rest of the package first by majority of paddle votes, and then go back and discuss the individual proposals that were broken out for separate consideration. Any proposals broken out and not approved after the discussion are automatically referred back to the Management Council for further consideration.

I will now ask for a motion from the floor to adopt the printed Notice and Program for the Division III business session so that we may proceed with our work. I will then ask for any motions to re-order. I will then call for motions to remove items from the appendixes. After we deal with those motions, we will then vote to accept the Notice and Program, as amended. After yesterday's forum and listening to comments from the membership, the governance structure will not request a re-ordering of the proposals.

Is there a motion to adopt the Convention Notice and Program.

Richard Wells (University of Wisconsin, Oshkosh): I move we adopt the Convention Notice and Program.

[The motion was seconded.]

Ms. Bassett: It has been moved and seconded. Now it is time to consider re-ordering. Are there any motions to reorder? It doesn't look like it. We have none. We are going to move through the roll-call votes in numerical order. Now that we have determined the order of the proposals, are there any motions that address any of the items that are in Appendixes D, F and H?

Steven Radcliffe (College of Mount St. Joseph): We are requesting the removal of NC-18 from Appendix F of the Convention Official Notice.

[The motion was seconded.]

Ms. Bassett: We will come back and discuss that. First, are there any other motions on Appendixes D, F and H? Now we will vote to accept the rest of the package and return to this discussion. This is a paddle vote. All in favor of accepting the rest of the package, please raise your paddles. Those opposed. Any abstentions? Thank you. The rest of the package has been adopted as published.

Now we will go back to discuss the individual Proposal N-18, which is broken out now for separate consideration.

Steven Radcliffe (College of Mount St. Joseph): We feel this legislation is controversial in nature and should be debated openly. While we agree that enacting legislation last spring was necessary to reduce risk and liability associated with preseason football, our bylaws call for controversial legislation to be debated on the Convention floor. To have this legislation added to the bylaws without debate sets a precedence for future legislation that we are concerned about.

Ms. Bassett: Is there anyone from the Management Council or the Presidents Council who would like to respond?

Phillip Stone (Bridgewater College, Virginia): The Presidents Council thought this simply had to be done in light of the medical evidence that demonstrated the health and safety problems that have been documented already, including fatalities. We feel we could not as a matter of ethics, and frankly even legal values, be able to face parents and students because the information that has come to us is very convincing. It is not so controversial as critical. It was thought that we simply needed to move this along quickly because it became a matter of health and safety, and frankly, even life. We thought it had that kind of impetus.

Leon Lunder (Carleton College): I stand to speak in favor of this particular piece of legislation, although I understand the perception that this is controversial legislation.

The information regarding this is based upon significant study done by the medical safeguards committee and also ascribed to by the American Football Coaches Association. I believe that it was in the best interest of the student-athlete's welfare and allows us an appropriate way to utilize practice time at the beginning of the season, which obviously can be very hot; and wearing fiberglass insulation can be particularly devastating. It is good legislation. I appreciate the fact that it did create some controversy this fall. It did add some additional days as far as cost to the preseason portion of the programs. But I do think it is in the best interest of the student-athlete welfare. Thank you.

Steve Keenum (McMurry University): I was in attendance at the American Football Coaches Association convention the last two years. This legislation was discussed this year. This legislation was designed and studied by Division I. I don't remember the doctor's name in Carolina who was a part of this study, but he wrote an article in The NCAA News. In that article, he outlines the three components, part of that being the spring practice and the other being a nine-week conditioning program in the summer. The nine-week conditioning session in the summer was the centerpiece of this and then these days.

We do not have those opportunities for conditioning athletes during the summer. We have shortened the opportunity to condition those young men. The coaches feel very strongly that this is not in the best interest of the student-athlete's welfare. I understand all the medical research that has been done specifically for Division I. We need to take some time and look at this because we in effect reduce the opportunity to condition young men specifically in football to give them a chance to be ready for their first day of competition. This is a controversial piece of legislation.

Mr. Lunder: This legislation has not decreased the opportunities for conditioning. We have increased the opportunities for recovery. That is really at the heart of the legislation. It allows young athletes sufficient time to recover and to re-hydrate between practice sessions. I do believe it is a welfare issue. Thank you.

Mr. Ratcliffe: I want to make one other point. As an institution, and probably even as a conference, we felt that they got it pretty close in the final decision. There were some concerns about what that legislation looked like when it came out of the Management Council and before it got to the Presidents Council. We are not here necessarily to object to the legislation in the way it could go into the bylaws. We are objecting to the procedure. We felt that this was controversial in nature and should be on the floor to be discussed and voted on and not be put into the noncontroversial amendments in the Notice.

Ms. Bassett: Let's vote on the incorporation of NC-18. This is a paddle vote. All in favor of incorporation, please raise your paddles. Thank you. Those opposed. Thank you. Any abstentions? It is approved.

Finally, we must adopt the Convention Notice and Program, as amended. All in favor of approving the Notice and Program as amended, please raise your paddles. Thank you. Those opposed. Again, any abstentions? The 2004 Convention Notice and Program are approved, as amended. Thank you.

PROPOSED LEGISLATION

We are now ready to consider our proposed legislation. This morning we will consider a total of 12 legislative proposals and related amendments. These are Proposals Nos. 55 through 67 in your Convention Notice. Since the sponsors have withdrawn No. 67, we actually expect to deal with only the other 11 proposals in that grouping. We will vote on those proposals in the following numerical order, 55 through 67. Also, please remember the editorial corrections found on Page 4 of the Convention Program. We will attempt to call those to your attention when we consider the affected proposals.

Proposal Nos. 55 through 67 make up the Presidents Council grouping. We will begin with those proposals and conduct roll-call electronic votes for those and any motion related to those proposals. That includes related amendments to amendments, motions to refer, et cetera, as well as the motion to adopt. Thank you.

Financial Aid—Athletics Endowments

Karen Johnson (Alfred University): On behalf of the Division III Presidents Council and the Management Council, I move the adoption of Proposal No. 55.

[The motion was seconded.]

This proposal eliminates the use of financial aid endowments established prior to January 1, 1979, that were explicitly set aside for student-athletes. To permit the continued use of endowed funds is contrary to the Division III philosophy that member institutions are not permitted to consider athletics ability in the awarding of financial aid. This proposal will help ensure that student-athletes are not treated differently from other students when financial aid is awarded. Furthermore, this proposal will help eliminate any competitive advantage for those institutions that have such endowments.

It is important to note that because the exemption only applies to institutions with endowments established prior to 1979, the proposal will not affect a significant number of institutions. Although the exact number is unknown, we believe it to be less than 30. In addition, this proposal only affects the awarding of financial aid to student-athletes. Institutions will continue to be able to use endowed funds to support general athletics expenditures such as facilities and equipment. Finally, this proposal has a delayed effective date of 2008. This will provide institutions that have such endowments adequate time to address this issue with the original donors and their successors and to modify financial aid practices. The delayed effective date also assures that the student-athletes who currently receive funds through an endowment will not be adversely affected. For these reasons, I urge you to support this proposal. Thank you.

John Roush (Centre College): The focus of this proposal was to reform Division III financial aid legislation that was adopted 20 years ago. Many changes have occurred over the past 20 years.

The membership has grown considerably, and the philosophy has changed as well. We operate in a need-driven athletics experience. This principle was consistent with the fundamental tenets of the Division III philosophy, that there are no awards of financial aid to student-athletes based on athletics ability. The proposal also addresses competitive and recruiting equity. A decisive point in seeking the elimination of financial aid endowments for the purpose of student aid is that the current bylaw is only available to a limited number of institutions and student-athletes.

The proposal attempts to level the playing field for all student-athletes competing in Division III. I also note that the elimination of the use of financial endowments does not preclude institutions from seeking athletics donors and support. For these reasons and those already mentioned, I support this proposal, and I offer it to you. Thank you.

[Proposal No. 55 was adopted, 414-3-3.]

Financial Aid—Annual Electronic Reporting Process

Kevin LaGree (Simpson College): On behalf of the Division III Presidents Council and the Management Council, I move Proposal No. 56.

[The motion was seconded.]

In 2001, the Presidents and Management Councils charged the Financial Aid Review Task Force to establish a method through which member institutions could perform a self-analysis to ensure that athletics ability is not considered in the formulation of a financial aid package consistent with the Division III philosophy and related legislation.

This proposal will establish an annual financial aid electronic reporting process to accomplish that goal. It will compare financial aid awarded to all entering first-time, full-time student-athletes, with the financial aid awarded to all first-time, full-time entering students who are not competing in intercollegiate athletics at each Division III member institution.

Over the past two years, the task force, made up of presidents, athletics directors, faculty athletics representatives and financial aid administrators, has strived to develop the least burdensome, yet most efficient and effective electronic reporting process. I believe the task force has been successful in its endeavor in large measure because of its makeup of five financial aid officers, with the active engagement through their Web site of the National Association of Financial Aid Administrators, and the helpful presence of Michael McPhearson, then president of Macalester College, who has devoted his entire academic life to the economic study of financial aid packaging.

Recognizing that Division III institutions have never had a consistent method to ensure compliance with NCAA Bylaw 15, the task force explored and rejected numerous avenues because of the extraordinary burden or because of the lack of relevance. As you heard yesterday, in October the task force implemented a pre-pilot of 26 institutions during the fall of 2003 to assess the burden of the proposed process and the relevance of several requested data items. We asked for a lot of information from the pilot schools, including demographic information, academic variables and financial variables, in order to test fully the availability, burden and relevance of those data. The pilot results produced useful data with a minimal administrative burden. On average, it took a pilot school about two days to compile these data. While we were very satisfied, the task force decided further to eliminate all questions concerning demographics and academic variables from the initial data collection to better address concerns regarding burden and confidentiality and to reconfirm that the primary focus of the review will be the elements of the financial aid award.

This proposal has a delayed effective date of 2005, which will permit the implementation

of a division-wide pilot this fall. The results of the division-wide pilot will supply additional needed information, which will provide further refinement of the process and parameters. In particular, the pilot will establish a database that will permit us to more scientifically establish what level of variance between the aid awarded to student-athletes and non-student-athletes would warrant further review by the schools and the financial awards committee.

This proposal is not simply an enforcement contrivance. The fundamental objective of this proposal is to assist Division III institutions to assess compliance with the legislative requirements in Bylaw 15, which embodies one of the core values of Division III. Schools are already responsible for complying with these legislative standards as members of Division III. This proposal for the first time will create a uniform process to help schools address directly these issues. At its root, this process provides each member an annual assessment of its compliance with Bylaw 15.

The results from the future of Division III's membership survey indicated a majority of the respondents support a financial aid review process. The survey also identified financial aid as the division's top area of concern. The results of the survey showed that financial aid is a defining tenet of Division III philosophy. Adopting this proposal will help directly support that fundamental tenet of our philosophy. For these reasons, I urge you to support Proposal No. 56. Thank you.

Richard Wells (University of Wisconsin, Oshkosh): I had concerns when we started this study. We were members of the pilot program.

The University of Wisconsin, Oshkosh, is a little over 11,000 students. We compiled data on a little over 3,000 students who were new freshmen or transfer students. About 400 were athletes. It took us about 40 hours the first time through, partly because we didn't have an integrated database. We also had to create some communication and study between our financial aid office and our athletics office. We completed that process. We now believe that since we have gone through this pilot study—and we're probably one of the largest of Division III institutions—that we will be able to complete the process in a matter of eight hours.

I think it is very important that we continue refining this particular process to assess financial aid. I think all of us would agree that you assess what you value. I think we all agree that financial aid integrity is a core value, if not the core value, of Division III athletics. I strongly encourage you to support Proposal 56. Thank you.

Terry Rupert (Wilmington College): Wilmington College is one of the 26 pilot programs that participated. Going into the study, we had the same concerns as Chancellor Wells.

Wilmington College is a very small private college of about 1,200 students. We had about 403 incoming freshmen and transfers who we looked at, and 148 of them were student-athletes. Although we are one-eighth the size of the University of Wisconsin, Oshkosh, we have the same concerns as we got into the collection of the data. It took us about four days to collect that data. We had a very limited computer system on our campus. It took a lot of work between the people involved in admissions, academics, financial aid and our institutional technology system.

As we got involved and we got through the process, we found some things that were very interesting and we thought were very worthwhile. I was relieved not only as the athletics director but as the chair of the Financial Aid and Awards Committee, that in December the task force eliminated a lot of the original information that was there. This will significantly reduce the burden at the institutional level. Not only will it do that, but it will also make that information much more manageable for the Financial Aid Committee in the future.

One important point that Proposal 56 addresses has not been expressly stated is recruiting and competitive equity. Many people are skeptical when it comes to recruiting and cannot understand how a prospective student-athlete can receive so much more aid from

another institution than their own. They often use rationale that the other institution must be providing aid based on athletics ability. This proposal goes a long way to address those types of assumptions, because now an institution will have a comprehensive and a consistent method that awards aid to student-athletes and non-student-athletes on a consistent basis.

Presently, we do not have anything in place. Proposal 56 will give every institution an opportunity to conduct a self-analysis. Although not a panacea by any means, it should assist in keeping the recruiting and the playing field more level. I know that the task force has worked hard over the past two years to reduce and refine this instrument. I believe that the task force has been very successful in its mission. That being said, there is still much work to do. If this proposal passes, the Division III Financial Aid and Awards Committee will take over the monitoring of the electronic reporting process. It is the committee's intent to continue to define this process. I acknowledge that the questions of variances and how such a variance will be addressed generates a lot of anxiety. I assure you that the committee will collect more data as we get into the pilot study next year and use a more sophisticated analysis in determining an equitable and a workable variance for every Division III institution.

The responsibility will remain with each institution to ensure compliance with financial aid requirements, just like all other legislation. But the proposed report will provide a much-needed tool that each school, the committee and the national office, if necessary, can use to assure compliance in the fundamental bylaw. For these reasons, I urge you to support Proposal No. 56.

Charles Mitrano (Empire 8): The Empire 8 unanimously supports this proposal, but I do have a question regarding the data collection. There are Division III institutions that sponsor Division I sports that are not permitted to provide scholarships. Will those student-athletes from said institutions be included in the data collection?

Kevin LaGree (Simpson College): My understanding is that this part refers only to Division III athletes and would not include Division I athletes who don't receive financial aid in those situations. It is purely for Division III athletes.

Dick Rasmussen (University Athletic Association): When this concept of a financial aid audit was first proposed at the 2001 Convention, a lot of concerns were expressed regarding its impact on individual institutions, not just in terms of the amount of time and effort to collect and provide the data, but also the potential for an institution's need to respond to the results of that data collection and its analysis perhaps unnecessarily. A lot of those concerns have been recognized by the task force as it has moved forward and refined this instrument, moving from what was initially intended to be a very formal compliance process to one that now is principally an institutional self-assessment and report through a pilot study.

But as we have heard, this process will move forward to the development of more formal compliance standards. In Proposal No. 48 of the 2001 Convention, there was an amendment resolution that was also approved overwhelmingly by the membership. In the resolution statement, the resolved statement of that proposal stated that any formal compliance process intended to replace or expand the review or approval practices currently mandated in Bylaw 15 be presented in legislative form to the membership of the division at the 2002 Convention for comment, review and approval prior to implementation.

On behalf of the members of the UAA, I would respectfully request that the Management Council and the Presidents Council, together with the Financial Aid and Awards Committee and the task force, review that resolution, and as this process of refinement moves forward, that more formal compliance standards and principles come back to the membership again, consistent with the intent in the spirit of that original resolution. Thank you.

Ms. Bassett: Is there other discussion concerning Proposal 56? In response to Chuck

Mitrano of the Empire 8, we are going to refer your question to the Financial Aid Committee for clarification. We are now ready to vote on Proposal No. 56. The polls are open.

[Proposal No. 56 was adopted, 356-61-4.]

Eligibility—Determining Season of Eligibility—Minimum Amount of Participation

Leon Lunder (Carleton College): As a member of the Division III Management Council and the Joint Subcommittee on the Future of Division III, I move Proposal No. 57.

[The motion was seconded.]

This proposal eliminates the practice of redshirting by specifying that student-athletes may have four seasons of athletics participation, which includes practice and/or competition. The legislation allows for limited preseason tryouts without using a season of participation and retains existing waiver opportunities, including the medical hardship and the season of competition waivers.

The Division III philosophy places the highest priority on providing student-athletes with a quality education and recognizes that athletics is one part of the overall collegiate experience. Just as most Division III educational programs are designed to last for four years, so too should Division III athletics participation. NCAA Division III graduation rates data indicate that a proportion of four-year graduates is 72 percent overall, 84 percent for private and 48 percent for public institutions. Eliminating redshirting encourages degree completion and eliminates the pressure imposed on student-athletes to prolong the years that a student spends at our institutions for athletics reasons.

This proposal reaffirms the Division III philosophy by establishing a better balance between the academic and athletics interest of the student. For this reason, I urge you to support this proposal.

Phillip Stone (Bridgewater College, Virginia): On behalf of the Management Council and the Presidents Council, I move that 57-1 be adopted as an amendment to Proposal No. 57.

[The motion was seconded.]

After 57 was proposed and circulated, conversations throughout the membership led the Management Council and then the Presidents Council to conclude that there needed to be an incentive system built into the redshirting rule, which would not only permit but actually encourage academic activities that are very positive for the student's total experience.

Examples given were study abroad for a semester, student teaching, practicums and internships, and research opportunities. Those kinds of things might preclude a student from participating in an additional season, and this would be a concern if they then tried to participate in a practice session in a nontraditional season.

The amendment seeks to clarify that and to make sure that an exception is granted so that for academic reasons, a student who misses the traditional season for academic purposes would not be precluded from practicing in the nontraditional season. For example, if a student who studies abroad during the traditional fall season comes back in the spring and wants to practice but not play, that would not be a season of participation and would not count in the eligibility.

We wanted to be quick to say, however, this was not intended to be primarily for students who are on disciplinary or academic probation, or would like to work an extra year to get grades up. This is intended really to try to make sure that students who might otherwise be precluded or deterred from very important academic possibilities and activities would not feel punished because of the redshirting rule.

Ms. Bassett: Thank you. Please note that if Proposals Nos. 62 and 62-1 subsequently are adopted, No. 57-1 will no longer apply to sports other than rowing, golf and tennis, per Proposal No. 62. We are now focusing on the merits of Proposal No. 57-1. Are there other comments on that amendment-to-amendment?

John Neese (Hardin-Simmons University): I would like to ask our colleagues today to defeat Proposal 57. I have three reasons I would briefly like to go over on this proposal.

The first one revolves around the wording in the Official Notice.

Ms. Bassett: Excuse me. A point of clarification. Are you referring to 57-1 or 57?

Mr. Neese: I am sorry, 57.

Ms. Bassett: Can you save those comments? We are discussing the merits of the amendment-to-the-amendment.

Mr. Neese: I can do that.

Ms. Bassett: Thank you.

Leon Lunder (Carleton College): On behalf of the Management Council, I urge you to support Proposal No. 57-1. The amendment to the redshirting proposal continues to apply to a season of participation for competition at any time. Thus, if a student-athlete competes in the nontraditional segment, even after missing the traditional segment for a certified academic reason, the student-athlete will still use a season of participation. This amendment recognizes the great value in pursuit of academic opportunities that occur both on and off campus and seeks to remove any incentives for student-athletes to forego those opportunities for the sake of athletics. For this reason, I urge you to support the proposal. Thank you.

Ms. Bassett: Is there other discussion concerning the amendment-to-amendment? We are now prepared to vote on No. 57-1. This will be a roll-call vote.

[Proposal No. 57-1 was adopted, 362-47-4.]

We are now back to discussing Proposal No. 57, as amended by 57-1. Is there other discussion?

John Neese (Hardin-Simmons University): I would like to state our opposition to Proposal No. 57. I have three brief reasons I would like to discuss. The first one deals with the wording in the Official Notice.

The survey indicated a substantial portion of the membership supports elimination. If you look at the survey, it says that there was split support for the option limiting a student-athlete's participation to four seasons with 41 percent in support and 42 percent opposing. I think the numbers that really stand out on the survey indicate that nine out of every 10 institutions support the 15-quarter eligibility clock, and only 20 schools of 110 voted to have an eight-semester, 12-quarter clock.

The second reason is effective recruiting and retention. I have a deep amount of respect for the universities that have a healthy endowment and are in a position where they can limit their freshman class every year. However, for many of us at the Division III level, we are tuition driven. In an instance like this, 10 to 15 students per year could decide to go to either a junior college, an NAIA school, or even in some cases, a Division II school. Fifteen students over a four-year period would result in 60 students potentially not deciding to come to the university, which could obviously have an effect not only on the athletics side but in other areas of the administration.

The third point deals with the wording in the Official Notice. Legislation encourages degree completion on a four-year schedule. There are two brief subpoints I would like to make on that. If you look at many of the schools of education that are out there today, they are recommending that their program be five years and that is due to the increased classroom time and the student teaching time. In the information provided by the Center of Data Exchange and Analysis, retention and graduation rates of entering freshmen in 415 colleges and universities, from 1995 to 2001, showed that 29 percent graduated in four years, 49 percent graduated in five years and 54 percent graduated in six years.

These are just three of the reasons why Hardin-Simmons is asking you to vote for the defeat of Proposal 57. Thank you.

Bill Klika (Fairleigh Dickinson University, Florham): I, like the prior speaker, also wish to speak in opposition to No. 57. As a private institution, that is a significant number of five-year BA and MA programs.

You limit the opportunity. We are here for opportunity for our student-athletes to play. We also have a significant number of learning-disability students who may not take a load that graduates them over a four-year period. These students deserve the right to play. We are restricting our athletes more than the Division I athletes. These are students in a private institution that are paying. There is no incentive for them other than the desire to participate. Thank you.

Gary Karner (Wisconsin Intercollegiate Athletic Conference): I would like to go on record with the most safe, yet compelling statement I have ever made on the Convention floor. The WIAC unanimously supports the adoption of Proposal No. 57. Thank you.

Chadd Yowell (Wheaton College, Massachusetts): On behalf of the Management Council and the Joint Subcommittee on the Future of Division III, I support Proposal 57. The proposal responds to the concerns of the membership as expressed in the membership survey on the future of Division III.

A significant number of the survey responded favorably to the concept of eliminating redshirting. Thus, the joint subcommittee recommends this proposal. For these reasons, I urge your support of Proposal No. 57.

Richard Giese (Monmouth College, Illinois): I am a strong proponent of the value of intercollegiate athletics, especially at our level. In fact, in an earlier life, I coached two sports at two Division III institutions.

Monmouth College and the Midwest Conference, of which we are a member, strongly endorse Proposal 57. I see it as a core proposal of this meeting that clearly separates Division III from the potential abuses that may occur at our Division I colleges due to redshirting.

Redshirting, in my opinion, is not in the best interest of our students. It is not needed by colleges to produce strong athletics programs. I hope that we as a legislative body wholeheartedly support Proposal 57.

Scott Swere (Bard College): I am the men's soccer coach at Bard College. I would like to bring to the attention of the membership a shortcoming of Proposal 57. If adopted, the legislation will have us treat our student-athletes participating in nontraditional sessions differently depending on the sport and the timing of the traditional versus the nontraditional season.

For example, if you have a student who forgoes the soccer season in the fall and then would like to participate in practice in the nontraditional season, they will recharge for the season of eligibility. If you have a person who participates in a nontraditional baseball season in the fall and just practices, but chooses not to play in the spring, they will not be charged with a season of eligibility. I don't think that this provides equal treatment of our student-athletes with regard to the nontraditional season.

Jami Goldman (California State University, Hayward): I am a soccer student-athlete. The Division III Student-Athlete Advisory Committee strongly opposes Proposal 57, as amended by 57-1.

Some student-athletes stay in college for more than three years to complete their degrees. There are many examples of student-athletes who benefit from taking a year to focus more on academics while continuing to be a member of their teams. They do classes in their majors and a student-athlete may ultimately be forced to miss a majority of contests. The experience of team bonding and practicing with teammates improves the overall student-athlete connection to their institution. We realize that at Division III institutions academics come first. For that reason, student-athletes may be able to benefit from an extra year to complete their eligibility. The student-athlete should have the right to make this decision.

The Division III Student-Athlete Advisory Committee urges you to oppose Proposal No. 57, as amended by 57-1. Thank you.

Dick Kaiser (Defiance College): I rise also in opposition to Proposal 57 for exactly the same reasons Jami just talked about.

Division III has been one of the most student-friendly organizations that exists within the NCAA, providing many opportunities for our students and allowing them to have choices. We all know that some coaches probably do redshirt student-athletes to enhance their opportunities to possibly win. But by passing this legislation, you are taking away the right of the student-athletes, those individuals who are paying at our institutions to have a choice. Thank you.

Ken Jones (St. John's University, Minnesota): I would like to respond to the fifth-year piece on this. I know that it is true that more students are taking five years to graduate. But I don't think we should be doing anything that would encourage them to do so even indirectly. If we do that, if we continue to offer this kind of redshirting opportunity, it not only perpetuates the old Division I philosophy, but puts us on a pretty shaky moral ground of using a student's desire to play to squeeze out another year of tuition.

If students are around for a fifth year, I would rather see them focused on the next stage of their lives, polishing their law school application, being better student-teachers or working on interviews. Anything like that is going to move them down the line.

I therefore urge you to support Proposal 57, because I think it is better for student-athlete welfare in the long run. It distances us from Division I, and it makes us true to our Division III philosophy.

Steve Hagwell (Eastern College Athletic Conference): With the adoption of Proposal 57 as amended, would it have any implications or impact on the existing injury-hardship waiver legislation contained in NCAA Bylaw 14.2.5?

Leah Nilsson (NCAA Staff): The existing hardship waiver application would remain the same. Even if students practiced in the second half of the season, they could still apply for a hardship waiver if they have not competed in more than three contests or 30 percent of the institution's completed contests.

Stuart Gulley (LaGrange College): I want to speak in favor of the proposal. It seems to be very fair and balanced. We make a great deal about the student-athletes in Division III. I think that this legislation puts that in proper balance by putting the student's academic experience ahead of the student's athletics experience.

John Cochran (Iowa Intercollegiate Athletic Conference): I rise in support of this proposal. Before I go further, I would like to make a clarification on a statement that was made earlier concerning the equity between fall and spring sport.

As I understand Amendment 57-1, once the student-athlete foregoes a season for legitimate academic reasons, as determined by the appropriate institutional authority, they would have the benefit of practicing throughout their nontraditional segment for fall and spring sport.

Ms. Nilsson: That is correct.

Mr. Cochran: This proposal would discourage the practice of making academic decisions purely for athletics reasons. The practice of redshirting in reality in the vast majority of cases is nothing more than a veiled attempt to gain a competitive advantage, often at the expense of the student-athlete's academic programs and progress. I have heard the arguments for years in defense of the legitimate five-year academic programs, and yet we continue to see year in and year out football rosters composed of 40 student-athletes or more who have redshirted, and these are at institutions without a single five-year program in their curriculum.

I am hard-pressed to conclude that these decisions are being made with the academic best interest of those student-athletes in mind. I strongly urge your support of this legislation. Thank you.

Jim Nelson (Suffolk University): The use of the term redshirting as applied to Proposal 57 is often received in a negative context. There are very few abuses of this practice. There may, in fact, be a valid reason for a student to forego full-time participation, but still desire

to maintain an association with a group, whether it be an athletics team or a university club or organization. Such reasons could include the necessity to work to meet tuition responsibilities, to strengthen their academic success, to concentrate in the university's special project, to identify a connection to the university for self-esteem or to care for an ill family member at home.

From an institutional standpoint, there are many institutions with less than full-time rosters that would welcome a practice player so that a volleyball team might practice six on six, or a basketball team five on five. That is a significant benefit readily understood by coaches and team members. This is to say nothing of an individual's willingness to pay an additional year's tuition that might range from \$5,000 to \$30,000. That is a freedom of choice by student-athletes and their families. Why should we deny that?

James Appleton (University of Redlands): Having served on the Management Council and the Presidents Council, I want to say thanks to you for the terrific work this year on all of these items.

I wish to speak in favor of approving No. 57. The details of this legislation and the interpretation that has already been given addresses reasonable academic and other legitimate exceptions. It is a reform that implements our philosophy. It prohibits a further creep toward Division I thinking about this. It is not usual that I would vote against a student's position, particularly student-athletes. But in this case, in all due respect, I think we have a broader and more important perspective and a more important responsibility. I urge support for this legislation.

Carlyle Carter (Minnesota Intercollegiate Athletic Conference): I speak on behalf of our conference that has had a prohibition against redshirting for several reasons.

I also have the privilege of having a son who played Division I football, graduated in four years, and was academic all-conference, and honorable mention all-conference. At the end of his education, his response to me was, "Dad, I only wish I had an opportunity to be more of a student, not from the standpoint of academics but from the standpoint of the social opportunities." I am sure many of you have heard of the statements in the "Reclaiming the Game" book regarding the ability of our students to participate in college life. Athletics is a privilege. Our responsibility as academic institutions is to put the student's academic pursuits first. I certainly hope we restrict our students more than Division I students.

Ed Streb (Rowan University): I am president of the faculty athletics reps association. I want to speak against Proposition 57. FARA, in its legislative review committee deliberations, determined that this is not really good legislation. We side with the student-athletes on this for a number of reasons. Personally, I believe that coaches are educators, and that the opportunity that a student has to spend five years working with one of those educators rather than four provides substantial benefits.

Don't get me wrong. I don't think we want to have student-athletes working with coaches all the time, because if we follow this logic, one might argue that we should have no limits on season of competition and say they are getting exposure to those educators. We firmly believe that coaches are educators. They are providing an educational opportunity for the students. If we believe in this organization, in the integration of athletics and academics, that these things go hand-in-hand, then it is hard for us to deny that students are learning from their coaches.

We believe that the opportunity for the students to choose to have a fifth year of learning from that coach makes sense. We urge the defeat of Proposition 57. Thank you.

Tony Ladd (Wheaton College, Illinois): I rise to support this proposal. I, too, would identify coaches as educators, but I feel strongly in the reform agenda that the educational process should occur within the framework that is traditionally set in American education.

I call for the question to vote.

Dan Dutcher (NCAA Staff): I remind the delegates that a request simply to cease debate

or to call for the question is not sufficient. An actual motion to call the question needs to be done as a formal motion and needs a second, and then it takes a vote. If that is, in fact, the motion of the last speaker, then it needs to be restated in that fashion.

Mr. Ladd: I would move that we call the question.

[The motion was seconded and approved.]

[Proposal No. 57 was adopted, 249-163-1, as amended by Proposal No. 57-1.]

Philosophy Statement—Recruiting

Jeannie Watson (Nebraska Wesleyan University): On behalf of the Presidents Council, I move Proposal No. 58.

[The motion was seconded.]

This proposal will amend the Division III philosophy statement to establish a principle that athletics recruitment shall comply with the established institutional policies and procedures applicable to the admissions process. It does not trump or negate any other recruiting regulations currently stated in Bylaw 13, rather it applies to the identification, the evaluation and admission of prospective student-athletes. In practice, the legislation seeks to ensure that on each campus a dialogue occurs between athletics and admissions staff, such that athletics recruitment policies are consistent with the admissions policy for the institution.

The Division III philosophy statement declares that student-athletes shall not be treated differently than other members of the student body. This principle should also be reflected in the recruiting process. On behalf of the Presidents Council, I urge you to support this proposal.

Chris Bledsoe (New York University): On behalf of the Management Council, I ask you to support Proposal 58. This proposal does not alter Division III recruiting principles. It does require each institution to examine the way that athletics recruitment impacts recruitment of students to your institution. The admissions office should be aware of the practices to ensure that athletics recruitment complies with institutional admission policies.

This proposal further defines the philosophy of Division III and is responsive to the results of the membership's survey. Practically speaking, in order to incorporate this concept into the practice, the Division III institutional self-study guide will be amended to reflect the principle. On behalf of the Council, thank you for your support.

Mike Hanna (Hobart and William Smith Colleges): I'm the spokesperson for the Upstate Collegiate Athletic Association. We urge your support of Proposal 58.

While I urge your support of it, I also believe there is much work to be done in the area of Division III athletics recruiting. Many of us on our campuses see young coaches leaving the profession because of the amount of time that they need to spend off campus recruiting. It doesn't fit well with family life, and I believe it is one of the most important issues that presidents and the Division III Management Council should address as we go forward. We are losing good people because of this rapid run-up in the amount of time that our young coaches are spending off of our campuses recruiting. Thank you.

[Proposal No. 58 was adopted, 392-22-0.]

Recruiting—Permission to Contact—Self-Release

Leon Lunder (Carleton College): On behalf of the Division III Management Council and the Joint Subcommittee on the Future of Division III, I move Proposal No. 59.

[The motion was seconded.]

This proposal gives the student-athlete the ability to contact other institutions about a potential transfer. Procedurally, if a student-athlete wanted to transfer to a new institution, the student-athlete could download a permission to contact form from the NCAA Web site, sign the form and forward it to the athletics director at the institution or institutions of inter-

est. In this way, the student-athlete may inquire with the coaches and admissions about options to transfer without fear of repercussions from the current institution. It is important to note that with the adoption of this proposal, student-athletes will be notified of their ability to receive release via the student-athlete's statement that each student-athlete is required to sign prior to participation in intercollegiate athletics each year.

In addition, the Committee on Infractions will issue a directive to strengthen the enforcement of the current transfer regulations. Also, this proposal only affects Division III to Division III transfers. If a student-athlete wants to transfer to a different division, the student-athlete must seek permission to contact from their athletics director consistent with the existing regulation.

This proposal enhances student-athlete welfare by giving student-athletes the opportunity to explore the option of transferring without having the institution control the permission to contact that they currently are required. Further, this proposal allows the student-athlete to make more informed decisions about transferring, because they can seek information from any institution they choose and are not limited to any contact stipulations set by their current institution. On behalf of the Management Council, I urge you to support Proposal No. 59.

Rick Wells (University of Wisconsin, Oshkosh): As a member of the Presidents Council, I speak in support of Proposal No. 59. This proposal speaks directly to issues of student-athlete welfare and the Division III focus on providing an enriching well-rounded collegiate experience for each student-athlete.

If a student-athlete makes the determination that he or she wants to pursue their education at a different institution, the decision to seek information about transfer should be left to the discretion of the student-athlete. This proposal allows student-athletes to take more control over their decision to transfer and takes fear of repercussion out of the student-athlete's research process. The proposal maintains the prohibition that a student-athlete may not be recruited off his or her current team because the new institutions may not contact the student-athlete without signed consent.

Finally, the decision to transfer is often related to many different factors from academic to personal. For these reasons, we urge your support of Proposal No. 59.

Adam Mohr (Pacific University, Oregon/Student-Athlete Advisory Committee): I am a tennis and soccer student-athlete at Pacific University. The Student-Athlete Advisory Committee strongly urges you to support Proposal 59. This proposal will allow student-athletes the opportunity to initially inquire about the possibility of transferring without negative repercussions from coaches or athletics staff.

In order to protect the integrity of the self-release process, the student-athletes feel that a 30-day expiration is appropriate. The essence of Division III rests with the equitable treatment of student-athletes alongside the general student body. Just as the other students have the freedom to elicit transfer information specific to the activities and academics interests, so also should student-athletes. Student-athletes are capable and responsible individuals. The integrity of student-athletes needs to be trusted. We urge your support of Proposal No. 59. Thank you.

Aaron Brock (Alma College): During the discussions yesterday, there were mentions of a time limit on this release. Is that included in this? If it is, what is that time limit?

Leah Nilsson (NCAA Staff): The 30-day window is not part of the legislative proposal. However, the Management Council will take up that issue immediately after this business session. It is not included in the proposal. As a point of clarification, the 30-day window is an expiration date on the student-athlete's self-release and permission to contact. If a student-athlete signs the form January 1st and forwards it to a second institution, after January 30th that institution could not contact that student-athlete unless they receive a second release, and a new time window from the student-athlete.

Ms. Bassett: The recommendation from the Management Council is to include a 30-day expiration date. That will be taken up by the Council at their next meeting.

Dick Kaiser (Defiance College): As the student-athlete just said, the student-athlete should have the opportunity and should not be penalized if they want to seek another school. Does this legislation stop the school they contact from re-contacting the institution that they are currently at? If I listened to the information that Leon presented yesterday, the second institution still must contact the original institution. Is that not true?

Leah Nilsson (NCAA Staff): It is.

Ms. Bassett: The certification of eligibility is still required for transfers. So yes, the first school would be contacted.

Mr. Kaiser: So this legislation—as the point that he presented to protect the student and not cause a potential problem with their current coach—does nothing for that?

Ms. Bassett: It allows the initial contact to come from the student through the self-release. They are allowed to make the initial contact without notification.

Mr. Kaiser: Correct. I understand that. But then the second institution, once they notify them, I am sure the athletics director at the original institution will notify the person's coach. It doesn't protect the student-athlete in that regard.

Ms. Nilsson: One additional benefit to note is that if the second institution is not interested in accepting the student-athlete, then no eligibility information would ever be forwarded back to the first institution. There is an opportunity to inquire. If the second school is not interested, there would be no reason to send information back to school number one.

Mr. Kaiser: I really think this is bad legislation, not because the student-athlete should not have the opportunity to direct themselves and find out where they want to go, but the way it is currently set up it does nothing to assist them other than for them to make initial inquiry. It does not protect them. I think it opens up a big can of worms.

A lot of 17-, 18- and 19-year-olds have no idea what they want to do. As athletics directors and coaches, not that we want to hold them there because I have never denied an application, we can at least tell them about the options not only at the institution where they are, but the institution where they are potentially going to, or even other institutions. I would ask that the group defeat this motion.

Leon Lunder (Carleton College): I appreciate Dick's comments concerning this legislation. I do think, however, that this does provide the student-athlete the opportunity to investigate. A lot of times, the information relative to eligibility or acceptability is taken care of at the point that the student would begin the application process.

In many cases, it would allow a student to inquire, and then if they decided after the inquiry they wanted to stay at the same institution, it has some of the protections that are called for. I have heard a lot of comments relative to the potential abuses that could occur in this particular situation. We need to trust each other's integrity and also allow students the right of self-choice. I believe that those are paramount in this legislation.

Sandra Slabik (Neumann College): Sometimes when we receive input from student-athletes, we think that they don't have the experience to make that decision or they don't see the whole picture. In this situation, I think some of us don't see the whole picture. The student-athletes are living in that picture. I think they know from their fellow athletes what some of those repercussions are if they look at another institution and then decide to stay, and their coach knows about it. For this proposal, I support SAAC's comments and urge you to support this proposal. Thank you.

Donna Ledwin (Allegheny Mountain Collegiate Conference): Our conference was pretty split on this. As we discussed it further, we generally became more disinclined to support it. I think the group felt that while students should have that opportunity to self-release, that the athletic directors also wanted some knowledge within a reasonable period of time, perhaps 48 hours after that release is granted, so they could sit down and speak with the student-athlete. There are issues they were very concerned about. If there are problems

with the program, they need to be aware of them. They don't want problems to go on to the point where they are notified too far down the road to influence the student-athlete or to help the student-athlete. Excuse the word influence.

For that reason, we are generally in support of it, but everyone probably will not vote for it, because we think that there should be some sort of a defined notification period after that self-release happens.

Travis Feezell (Whitman College): This has been one of the most vexing pieces for me of the entire reform package. I came to the Convention thinking this was a no-brainer, but in listening to conversations, I have struggled a bit.

I have struggled for a couple of different reasons. If the impetus to the legislation is freedom of choice, then I wholeheartedly support that. If the reason for the legislation is fear of retaliation, then the legislation for me at least seems to delay potential retaliation. I am not sure how much this legislation will change practice on our campus. Particularly, I have the sense that very few of the people in here—I have faith in the people in here—would deny the potential for someone to investigate another institution. Perhaps I am naive in that.

I would feel much better about this legislation if there were some sort of self-release and notification. Notification for me is part of that educational process. It is a part of the process that is involved in the maturation of our student-athletes. In particular, it may allow our student-athletes, when they do have to notify you and speak about this, access to support systems that in self-releasing they may not engage with.

I walk back to my seat still unsure how I will vote for this, but those are points at least for me that have been most important. Thank you.

Chris Graham (Midwest Conference): I would like to echo the comments of Ms. Ledwin. The Midwest Conference member institutions that I represent rise in opposition to this proposal. We respect the maturity and the responsibility of the student-athletes. We believe that there are cases where this legislation would create more problems than it would eliminate. We don't assume, nor do the coaches in our league, ownership over the student-athletes. But we believe the time and effort that they have put into recruiting these individuals in a certain way provides them the right to learn of issues that surround a student-athlete's consideration of transferring and involvement with other institutions.

We believe that they should be provided the opportunity to learn firsthand of those concerns. We also have the same concerns about first-year students and the decisions they are making in some cases that are not necessarily based on athletics, but other issues surrounding their academic pursuits. We believe that coaches, athletics officials and the athletics director should have an opportunity to address those issues before the student-athlete has the opportunity to discuss transferring with other institutions.

Finally, we have concerns over the issues that would arise at the beginning and during a season, particularly during semester break with our winter sports, when it is apparent to other student-athletes that this individual was not happy and is considering transferring, and the problems that arise when the team knows and the coach doesn't know. Thank you very much.

Steve Radcliffe (College of Mount St. Joseph): It seems this legislation was derived from the membership survey about strengthening the transfer contact rule. It was a 63-percent affirmative position from the survey. But I am having some failure making the connection between this legislation and strengthening the rule. As a matter of fact, it looks like you kind of opened it up more with this legislation. I don't see the connection there. I don't think the legislation is addressing the concern of the membership to strengthen the rule.

Jim Nelson (Suffolk University): As an individual who has been privileged to have administrative and coaching experience, I rise in opposition to this proposal.

A bond and a trust is normally established between a coach and the student-athlete. I think that we have discovered that oftentimes there are some issues between those two par-

ties. I can't recall a time when we have not provided a student-athlete on my own particular team or any other team, who has come to me in my capacity as director of athletics the opportunity and some guidance in terms of the transfer.

Our institution this semester will implement an academic program in which any student can drop a course without consultation of their academic adviser. Certainly for a student-athlete, that particular decision is not made in a vacuum. An individual who is carrying the minimum four courses who has had a bad game, has had an argument with the coach, hasn't received the playing time, isn't doing quite as well in a particular course, may now drop that particular course. We might not find that out for a while. It may endanger, in fact, a win that may occur at that particular time. We'd like the opportunity to sit down and talk to the student or to the professor, move forward, and get the issue straightened out.

We have taken some steps to prevent that by presenting all of our rosters to our registrar. Just as we don't allow our international students to drop below the four courses for financial aid, we are not going to allow our student-athletes to endanger an entire team. With that in mind, I think that a conversation is necessary between a coach and a student-athlete. The trust that was developed in terms of that recruitment should then be reinforced. I do not support this particular proposal. Thank you.

Brad Coffey (Amherst College): I am a Division III Student-Athlete Advisory Committee member. We would like to make a few clarifications from our point of view on this issue. First of all, this comes down to student-athlete welfare for us. We believe students fall into two camps under the current system. There are students who definitely benefit from talking to their coaches. We don't want to eliminate them from this procedure. But there are also those students who are hindered by having talked to their coaches.

There are coaches who would be very worried for those students and try to persuade them to stay, maybe to the detriment of that student. We are all young adults. We should be able to make our own choices. Students who go to their coaches may hinder their ability to play that year. We support this legislation because of the student-athlete's welfare.

We want to be able to self-release and talk to the institutions that we want to. In the end, those institutions have to contact their ADs and the coaches of the original institution later in the process. Once students decide that they do want to transfer, it is then that the coaches can come to them and talk to them. We are not eliminating you completely from the process. We just think the student should have the freedom of choice and freedom to explore their opportunities while they are at institutions they are paying money to go to. Thank you.

Rick Wells (University of Wisconsin, Oshkosh): Understandably, with any new legislation, it will take some effort and thought as to some of the implementation, such as the time frame that the Management Council is going to look at.

We had a lot of discussion at the WIAC about how to make this work. I was very impressed by our athletics directors, coaches and FAR who were in that meeting. They were really concerned about student welfare. There was a lot of discussion about how to make it work on behalf of the student and to think about the coaches and the team. What this is really addressing is to make sure that we don't treat our athletes any differently from our non-student-athlete. For example, if there is a theater major at the University of Wisconsin, Oshkosh, and if for some reason they wanted to look at a theater program at another institution, they can do that confidentially. We are trying to establish something in this legislation that allows our student-athletes the same freedoms. You have to think of these things as two triggers. A preliminary trigger is to be treated confidentially and will be given to the student to allow them to have more freedom of choice or to confidentially explore the possibility. The second trigger is already in place.

I think it is important to support this legislation because it provides more equitable treatment for student-athletes who think about going to a different institution. Thank you.

Ken Kutler (Ithaca College): For the past 17 years, I was the athletics director at Hartwick College. Maybe I can shed a little light and help in the confidentiality area as to how we handled transfer requests.

At my previous institution, student-athletes knew that they could visit me in strict confidence about their desire to transfer to another institution. When that conversation ended, they knew that I would not disclose to their coach the conversation that we had. It was kept in strict confidence. In many instances through our conversations, student-athletes decided not to pursue another institution. In other cases, through other conversations, the list of schools was changed, so there was some constructive counseling as a result of that dialogue. It is a way to handle it. It is a way to explore.

A student-athlete can explore an option to look at another institution without getting pressure from the coach involved. I think we can do this. I don't think this legislation is needed.

I also believe on the negative side that it can open up some issues relative to contact from other institutions. Thank you.

Dale Knobel (Denison University): Chancellor Wells put his finger on the essence of this proposal that the student-athlete should have the same rights and opportunities as all other students. Speaking as both a professor and college administrator, it was my own experience as a student who transferred from one institution to another. Transferring is not something that a student undertakes lightly. It is often a very painful, difficult decision.

I think we sell our student-athletes short if we think it is always or even usually for athletic reasons. Transfer by student-athletes is often initiated by a sense of fit or misfit. It may be social reasons or a sense that a particular major is available or not. I know as a student-athlete who transferred from one institution to another many years ago, the last thing I would have wanted was the intervention of a coach or other member of the athletics department, or even a professor, at a time when I was exploring those options.

We ought to recognize that this is a difficult decision for students. At the end, an exit interview might be appropriate to find out about issues of fit and what an institution might do. But in the first instance, our student-athletes ought to have the same rights and privileges as all other students to make that exploration without any intervention. Thank you. I support this proposal.

Carol Matteson (Mount Ida College): We have a very intensive retention strategy in place for all students. For example, when I was sitting on the bleachers at one of our games, one of our students who I was talking to indicated that she was interested in transferring. I found out her major and then sent information back to the program director. The student was not an athlete.

If through other sources we find that our student-athletes have an intention to transfer, does this legislation in any way prohibit established institutional practices that we have in place to enhance the retention of our students?

Ms. Nilsson: No.

Ms. Bassett: We are now ready to vote on Proposal No. 59. Please cast your vote.

[Proposal No. 59 was adopted, 221-195-5.]

The next proposal to consider is No. 60. Please note in Proposal No. 60 that the Convention Program contains a couple of corrections related to this proposal. In particular, the correct portion of the chart in Appendix B appears on Pages 164 and 165. There also is a clarification related to tennis, track and field, and women's water polo.

Playing and Practice Seasons—Length of Season and contest Limits

John Harper (Bridgewater State College): On behalf of the Management Council, I move Proposal No. 60.

[The motion was seconded.]

This proposal reduces the overall playing and practice seasons, including the permissible number of weeks and the maximum number of permissible contests. The 10-percent reductions in season length and in contests represents a uniform approach for all Division III sports.

This proposal limits all fall sports to 18 weeks and all winter and spring sports to 19 weeks. It should be noted that the proposal reflects actual practices for most fall sports and brings winter and spring sports opportunities into line with a reasonable season length. The proposal reduces the number of permissible contests for all sports. This arrangement avoids compressing the current maximum number of contests into fewer weeks, thus adversely affecting the student-athlete's time or having the current season length hold a smaller number of contests.

This proposal modestly reduces the playing season, a concept supported by a majority of the institutions in the survey on the future of Division III. Of the four playing and practice seasons proposals before the membership today, Proposal 60 offers the most substantive reform. Notably, it offers that reform while still allowing each institution to determine the significance of the nontraditional segment on each campus. Furthermore, the delayed effective date of 2006 would allow the membership ample time to discover how best to use its available contests while also providing time to modify playing schedules, if necessary.

On behalf of the Management Council, I urge adoption of Proposal No. 60.

Dan DiBiasio (Wilmington College, Ohio): As a member of the Division III Presidents Council, I urge your support of Proposal No. 60.

A primary purpose of this proposal is to provide more balance in the lives of Division III student-athletes. By reducing the length of the season and the number of permissible contests, student-athletes are provided with more time to focus on academics, social and other extracurricular pursuits. The focus of Division III is to provide a well-rounded collegiate experience for our student-athletes. This was affirmed in the study of the future of the division where a majority of institutions indicated support to reduce the playing and practice seasons. It should also be noted that other membership-sponsored proposals to reduce the playing and practice seasons are before you for a vote. While each proposal took a different approach to reducing the seasons, this proposal accomplishes that reduction in a balanced and equitable manner.

For these reasons, the Presidents Council encourages you to adopt Proposal 60.

Stephen Argo (Southern Collegiate Athletic Conference): On behalf of the Division III Management Council and the Joint Subcommittee on the Future of Division III, I urge your support of Proposal No. 60.

This proposal allows each institution the autonomy and flexibility to determine how it will accomplish the 10-percent contest reduction. Current limits for the traditional and non-traditional segments remain in effect. However, over the course of a year, the institution faces a 10-percent reduction in the total number of contests. For those sports with specific contest limits for the nontraditional segment, the institution may choose to keep the current maximum in the traditional segment and take the entire reduction out of the nontraditional segment, or an institution could keep the current maximum in the nontraditional segment and take the entire reduction out of the traditional segment. You may choose to split the difference.

For example, in softball, an institution could choose to play 40 contests in the traditional segment, and then play one game in the nontraditional segment. This proposal supports a Division III philosophy of providing equitable athletics opportunities for males and females, while minimizing infringement on the freedom of individual institutions to determine their own special objectives and programs. I urge the adoption of Proposal No. 60.

Also, I would like to make a comment regarding football. Many in this membership have expressed concern that the effect of this proposal on football by reducing the contest limit

from 10 to nine is too severe. I simply want to remind the delegates that at the 1996 Convention, we voted to add a preseason football scrimmage to that limit. This proposal would not eliminate that scrimmage opportunity. We really are not talking about a reduction from nine to 10, but more accurately a reduction from 10 plus one to nine plus one. It is important to keep the proposed football reduction in proper context. Thank you.

Jim Moretti (Alfred University): I am the chair of the Division III Football Committee. Last week, I attended the 2004 AFCA convention in Orlando. For your information, the Division III membership of the American Football Coaches Association at the convention voted unanimously against Proposal 60, which reduces the playing season by 10 percent.

The Presidents Council is sponsoring Proposal 60 to reduce the number of contests in each Division III sport by 10 percent. A key feature of that proposal would permit an institution flexibility in achieving those contest reductions through combined scheduling in the traditional and nontraditional playing season. However, football and basketball do not have a nontraditional season and would lose contests in the regular season. Sports that have a nontraditional season have the flexibility to reduce contests in their nontraditional season. Football and basketball do not have that flexibility. Thank you.

Laurence Mazzeno (Alvernia College): I would like to speak in support of Proposal 60. We supported it at Alvernia College because it strikes a balance between athletics and academics that is not struck in some other proposals that we are going to consider.

The nontraditional season has been helpful to us for reasons beyond athletics. It has helped us build bonds for our freshmen to feel connected to the institution. It has been useful to retain our students of all classes. But we recognize the need for students, especially those who are not academically gifted, to devote time to academics. This proposal allows that to happen without significantly reducing their opportunity to play athletics.

Many of our students are balancing not academics and athletics, but academics, athletics and work. This will help them without penalizing them. The proposal assures uniformity throughout Division III for the total length of seasons, while leaving it up to individual institutions and conferences to have some leeway in determining how to implement those reductions.

Tanya Nesbitt (Smith College): I am a track and field student-athlete. The Division III Student-Athlete Advisory Committee asks that you vote in opposition to Proposal 60.

Over the last several Conventions, there has been continuous discussion regarding playing and practice seasons. Student-athletes understand the intent behind the reform agenda. However, we do not believe this legislation represents the best interest of student-athletes. A 10-percent reduction in contests in the number of weeks is significant. Over the course of four years, a student-athlete could potentially lose the equivalent of 40 percent of the season.

The Division III philosophy emphasizes that athletics participants are not to be treated differently from other members of the student body. We question why athletics are being singled out when there are no limitations for other collegiate activities. We believe the current number of contests is appropriate and necessary. We do not feel that it hinders our ability to be involved in other academic and extracurricular activities.

The proposed contest reduction would make it difficult for the independents to schedule games because the teams from conferences would have fewer opportunities for non-conference contests. As student-athletes, we trust our presidents, our athletics directors, faculty athletics representatives and coaches to provide an equitable balance between academics and athletics while still maintaining the Division III philosophy. Conference and institutional autonomy allow this practice to be maintained according to the needs of each institution, conference and sport. We therefore urge you to oppose Proposal 60. Thank you.

Bill Klika (Fairleigh Dickinson University, Florham): Jim has already pointed out the fact that sports are treated differently based on your ability to trade the nontraditional and

traditional. Those sports that have nontraditional seasons have a different situation. Those that do not—football, basketball, cross country and track and field—make cuts from the season. There is no option there. Sports with counts based upon dates of competition could remove dates, add more competition on a single date and actually increase the number of contests that they play.

When football added that scrimmage, that was a replacement, because five years earlier it was taken away. It is a net loss for that particular sport, because in the early '90s they reduced it. Thank you.

Deborah Stanley (State University of New York at Oswego): On behalf of the Division III Presidents Council, I urge you to support Proposal No. 60.

As you have just heard, the proposal is offered in direct support to the results of the membership survey, which supports an overall modification in the length of the playing season as well as the establishment of reasonable contest limits. It should also be noted that to accommodate current schedules and contests, the effective date of this proposal is August 1, 2006. Thus, institutions have two years to accomplish the contest reductions and two years to implement the shortened playing season.

This proposal is equitable. It supports Division III philosophy, allows for institutional autonomy in the distribution of contests between the traditional and the nontraditional segments, and satisfies the request of the membership to modify playing and practice seasons for the benefit of student-athletes. As a member of the Presidents Council, I urge your support of Proposal 60.

Wenmouth Williams (Ithaca College): I am the FAR at Ithaca College. The question that was paramount as we consider Proposal 60 and subsequent reduction amendments is what is best for our students? If we can assume that student-athletes practice for the purpose of competition and that coaching and practice increased the value of these competitions, we should focus on the potential harms or benefits of this and subsequent amendments. How does it address the potential harm such as academic under-performance or negative effects of athletics culture? The intent of the amendment is to provide more time for athletes to participate in other campus activities.

The data suggest that academic culture and not time constraints precludes student-athletes from such participation. The proposers offer no reasoning addressing academic under-performance. In my 20 years of teaching at Ithaca College, I have never had an athlete miss an exam or use athletics as reasons for their under-performance. The same cannot be said for our student journalists. The reduction amendments do not address any harms as far as I can determine. In fact, they might actually increase harm. I will refer specifically to Amendment 64, which would limit nontraditional practices for gymnastics.

As a professional educator, I appreciate the concerns expressed by the proposers for our student-athletes. These suggestions are mere band-aids for the problem. If we are really serious about reform and the Division III philosophy, we should abolish the national championships and the Director's Cup. We can severely reduce recruiting so our coaches can be full participants in our academic communities. We should be talking about what specific harms need to be addressed and what data we can muster that will lead to their solutions. Thank you.

John Biddiscombe (Wesleyan University, Connecticut): I rise to urge the delegates to support Proposal 60. In suggesting that you support this proposal, I ask for a moment that you step back from details of this proposal.

Is 19 weeks exactly the correct number of weeks for every winter sport? Would a 5-percent or a 15-percent reduction in the number of contests be better than the proposed 10 percent? As many of you, I am not sure of all these details. However, I do feel very confident that supporting this proposal is extremely important. The governance structure has listened to reasonable requests for reform. They have surveyed the membership and

responded to the results of the surveys and, consequently, submitted legislation that is in the best interest of the overall membership. The vote for Proposal 60 is to support reform. It is a vote for compromise. It is a vote that will send a clear signal that Division III will continue to be the leader in creating legislation that keeps our athletics programs in harmony with our educationally based philosophical statement?

Let's put our sports-specific differences aside. This is a very reasonable proposal for reform, and it deserves your support. Thank you.

Gary Grace (Wartburg College): I wanted to add my thanks for the work done on behalf of the reform package. I do, however, come to the microphone in opposition to Proposal 60 with some broad comments.

Wartburg is in favor of reductions in playing and practice seasons in the nontraditional segment and practice seasons in the traditional calendar. We are, however, opposed to reductions in competition dates during the traditional segment. We believe this compromises the experiences that student-athletes value the most. We are supportive of reductions in the amount of time available for practice in both traditional and nontraditional seasons and believe there are other proposals on the agenda that address this. Thank you.

Ira Zeff (Nebraska Wesleyan University): On behalf of the members of the Division III Independents Association, I am here to speak against Proposal 60.

It is not in the best interest of our student-athletes to decrease playing opportunities by 10 percent across the board. There was a question yesterday on the floor. There is no evidence that our current contests limits hurt the student-athlete experience. In fact, our current system works quite well. Student-athletes at independent institutions have equal, if not better, GPAs than our non-student-athletes. Our current limits offer student-athletes a balance that enables them to have a good experience in the classroom as well as on the playing field.

As most of you know, diversity is one of the key principles in the Division III philosophy statement. Our current playing and practice models allow for diversity among our institutions. For those of us who believe the current model provides the student-athlete with a positive educational experience, we can allow our student-athletes to use the full complement of allowable contests. With the AQ system, institutions and conferences can choose to reduce the number of contests without hurting their chances for championship experience. Proposal 60 would create less opportunities for independent institutions to play in regional games.

Conferences are definitely not going to cut conference games. They will cut non-conference games, thus reducing the opportunities for independents to play in regional games. In Poll B, there are two types of institutions—true independents and schools that are members of conferences with six institutions that have 10 to 12 inter-regional games built into their schedules. Student-athletes of independent institutions will be placed at a disadvantage for selection to a championship experience.

Another concern that has been raised with this proposal is the fairness issue. As an example that has been given before, football would be cut from 10 to nine games. In many, if not most of our institutions, football student-athletes miss less class than any other sport on our campus, yet these student-athletes would probably be hurt the most by the proposed cuts. At Nebraska Wesleyan, our football players maybe, and I say maybe, miss two classes all season. Where is the problem with playing 10 games? If you look at the back of our Official Notice for the Convention, it states that we are committed to supporting athletics participation opportunities for student-athletes.

The Division III Independents Association urges all of us to truly make this commitment by voting “no” on Proposal 60. Thank you.

Jim Bultman (Hope College): I speak as a college president, but more importantly, I speak also as a former player, coach and academic dean at the Division III level. I love sport, as all of you do. I especially love sport at this level.

I commend the Presidents Council for its courage and leadership in bringing forth this reform package. I urge you to vote for Proposal 60. I believe this is the heart of the reform package. I interpret it as a move on the part of the Presidents Council to keep sport in perspective at Division III. Thank you.

I see the rationale for this proposal as four-fold. First, with respect to coaches, a desire to enable them to have and to model a life on our campuses apart from sports. Secondly, with respect to student-athletes, a desire to have them be students first and athletes second. Third, with respect to facilities, a desire to reduce the pressure from increasingly overlapping seasons that detract from availability of facilities not only for athletes but also for the rest of the student body. And, finally, with respect to finances, a reasonable attempt at cost containment that perhaps will avoid more drastic unilateral cuts by ourselves and our competition.

I see this not so much as a reduction, but as a reaffirmation of the principles that have made Division III strong for so long. Finally, I hope that this reform is not seen as a move by the presidents to correct what others messed up. I certainly do not see it that way. We are in this together. As in all of athletics, we face challenges together, we meet challenges together. Together, we can preserve the very finest of intercollegiate sport, Division III NCAA. Thank you.

Scott Carnahan (Linfield College): Last week, I attended the American Baseball Coaches Association meeting in San Antonio, Texas, and heard tremendous concern from all the baseball coaches who were there.

The main concerns are the fact that in limiting the start of practice and traditional segment at 14 weeks, the preparation for the seasons wouldn't be adequate to ensure safety for particularly the pitching staff and those athletes who are going to be participating. I urge you to defeat this legislation. I don't think it is in the best interest of our student-athletes.

Robert Lewand (Goucher College): I move that the question be called.

[The motion was seconded and approved, 318-93-2.]

Ms. Bassett: We have called the question. We are now ready to vote on Proposal 60.

[Proposal No. 60 was defeated, 151-262-2.]

Ms. Bassett: Our next proposal is No. 61. Please note the clarification in the Convention Notice related to volleyball.

Playing and Practice Seasons—Length of Playing Season

Chris Martin (College Conference of Illinois and Wisconsin): I move Proposal No. 61.

[The motion was seconded.]

On behalf of the eight members of the CCIW and the members of the Iowa Intercollegiate Athletic Conference, I urge you to support Proposal 61.

Proposal 61 is based primarily on the 60 percent premise that our student-athletes should not spend more than 60 percent of their academic year in athletics. It does so without cutting the amount of contests. It does so while retaining the flexibility for your institutions to determine your playing and practice seasons by not altering the start dates. For those reasons, I urge you to support Proposal No. 61.

Muriel Howard (State University College at Buffalo): On behalf of the Division III Presidents Council, I speak in support of Proposal No. 61.

In very broad terms, the Presidents Council supports the reductions in playing and practice seasons. The Presidents Council supports a reduction in order to establish a better balance between athletics and the rest of student life for Division III athletes. The Presidents Council believes that student-athletes should have more time to explore activities beyond athletics, but that it is difficult to be involved in other extracurricular activities when athletics is taking up so much of a student-athlete's time over the course of the academic year. Therefore, a reduction in the length of the playing season frees up a few weeks each year for

a student-athlete to become involved in other activities, thus making it easier for our student-athletes to become the type of well-rounded students this division strives to create.

We believe this modest reduction is a step in the right direction for Division III. For these reasons, I urge your support of Proposal No. 61.

Walter Johnson (North Central College): I think everyone would agree that it is appropriate to visit the question of change, compromise and trying to come up with a different and better way to do what we do in this division. I think everyone would also agree that we have always taken a leadership role in terms of reform. We all want reform, just not quite the reform that is put on the table. This proposal, we feel, is a setup in the right direction.

It is reform, but it keeps sacred the one thing that we all remember what we enjoyed most about our college experience as student-athletes—the opportunity to compete. I think our students spend way too much time in practice. I don't think they spend enough time in the classroom. I am not suggesting that athletics is one of the reasons why some of our students fail. In fact, I think it is part of the reason that our students succeed. Icing on the cake is the opportunity to compete. I urge you to support this proposal because it does allow us to reform, but it allows us to keep in place the thing that our student-athletes see as sacred. Kids want to play.

Greg Harshaw (University of California, Santa Cruz): On behalf of the Management Council, I speak in support of Proposal No. 61. This proposal makes a modest reduction in the length of the playing and practice seasons in order to give student-athletes more time to engage in other campus activities. It fosters the development of a well-rounded student-athlete by scaling back slightly on the time spent in athletics pursuits. The membership has expressed support for the concept of a reduced playing season in the future of Division III survey.

This support also is evident from the submission of proposals by three conferences to reduce the seasons. After considering several different models over the last few years, one clear point is that it is entirely appropriate for Division III to reduce playing and practice seasons in some manner at this point in time. Proposal 61 offers a simple reduction to the length of the playing season, and the Management Council supports this effort. For these reasons, I urge you to vote yes on Proposal 61.

Kent Reeves (East Texas Baptist University): We are a member of the American Southwest Conference. I would like to speak against Proposal 61.

We need to remember that if we reduce two or three weeks from our practice and playing season, we are taking two or three weekends away also. That's going to make our student-athletes miss that many more classes, because we are not reducing the games. Anything that takes our student-athletes out of the classroom, I think we should be against. Thank you.

Peter Smith (Kenyon College): I would like to address the rationale for adjusting the playing and practice seasons. Initially, it was to bring Bylaw 17 within our Division III philosophy. Our Division III philosophy actually states that we should support student-athletes in their efforts to reach high levels of performance.

These proposals limit the opportunity for athletics excellence. In a sense, they may be in direct opposition to our Division III philosophy. I have a letter from Ashley Jo Rowatt, the 2003 NCAA Woman of the Year. She is a Kenyon College graduate and is currently at Vanderbilt Medical School. Ashley writes: "As a 2003 NCAA Woman of the Year, I have already been asked several times how do you find time to do everything? People are usually referring to my success in the classroom in light of time spent swimming, playing the flute, participating in Bible studies, tutoring other students and volunteering in the community. My response is that I have realized that success happens when I am enthusiastically committed to each activity. Everything that I am doing will be extremely difficult to pursue in only one realm of my life if I did not have the ability to pursue it with excellence.

Division III attracted me to a limitless opportunity to develop both academically and athletically. The ability to be a dedicated scholar with limited athletic opportunity is not as attractive. Why should we limit ourselves? Some challenges are certainly worth embracing.”

I urge you to defeat Proposition 61. Thank you.

Dennis Leighton (University of New England): I am faculty athletics representative at the University of New England and chair of the Division III Legislative Review Committee of the Faculty Athletics Representatives Association.

I originally was going to comment on the previous proposal, but I think my comments are just as appropriate for this proposal. The Faculty Athletics Representatives Association is opposed to any changes in playing and practice seasons at this time.

In the collegiate athletics model, we often promote the positive aspects of the student-athlete experience. It would seem contradictory to cut back on this very experience. The data is lacking on what the impact would be of changing playing and practice seasons on the quality of the student-athlete experience. In the absence of data, we can only presume that shortening the playing and practice seasons will be a positive effect, when it may be just as likely that a change may have a negative effect. FARA encourages the NCAA to gather the data on which to base future decisions on playing and practice seasons.

I would also like to echo a previous speaker who reminded us what will happen with defeat of Proposal 60. If we shorten the season now while maintaining the number of games, those games will most likely come into the mid-week time of the season as opposed to being able to be played on weekends, which would have an academic impact.

Albert Bean (University of Southern Maine): I would also like to speak in opposition to this. I think there have been some assumptions made today about what goes on when students participate. I think we need to keep in mind what a tremendous passion that students have for what they are doing. It's no different than what folks in music, theater, art or any performance might have.

I agree with much of what has been said already. Shortening the weeks and maintaining the games is a recipe for disaster academically. I certainly don't think we should go down that road. I also would like to say there has been an awful lot of comment today about the fact that perhaps there isn't a balance currently between academics and athletics. I am not sure I agree with that. I think that an awful lot of people in this room, whether they be presidents, athletics directors or faculty reps, work very hard to make sure that there is an adequate balance on their campus, and as the information often indicates, graduation rates and GPA rates of student-athletes is higher than the general student body.

I would also say that there is a mechanism in place for people. We have a difference here. That is pretty clear as indicated by the vote. If you don't want to play the maximum number, you don't have to. If you don't want to keep the maximum number of weeks, you don't have to.

It has been said forever that one of the great strengths of Division III is diversity. We all have a little bit different thought. We can all approach this a little bit differently and still maintain integrity and play together. I would urge that we defeat this and maintain the passion that students have for athletics and the fact that they care very much and they learn very much by their participation. Thank you.

Bette Landman (Arcadia University): I am surprised that we are not looking to curtail the number of games that we have. We certainly do this with impunity in the academic area. Institutions consistently limit the percentage of academic programs that a student can take in their major. In most institutions, that figures out to one-third general education courses, one-third in the major and one-third electives. Despite the fact that many department chairs and many students would prefer to take many more courses in their major believing that this prepares them better for their first entry job, we, as academics, feel that it is important that we bring balance into that student's academic career, whether or not they feel that they need it.

The second argument is that why should we single out athletics for curtailment when students spend considerable time in theater and other passions, such as student government, student news, music, et cetera? Bowen's book shows us, however, student-athletes devote a much higher percentage of their activities and their free time to athletics than do students in any other one of these areas.

Lastly, I would like to mention that as far as missing class, it is terribly important that we avoid what is now routinely happening—students are actually missing final exams in order to finish out the season, particularly if they move on to conference championship play. Thank you.

Kevin LaGree (Simpson College): I would like to move the question on Proposal No. 61.

Ms. Bassett: We have a motion to call the question. May I have a second?

[The motion was seconded and approved.]

Ms. Bassett: We are now ready to vote on Proposal 61. Please cast your vote.

[Proposal No. 61 was adopted, 238-180-1.]

Playing and Practice Seasons—Nontraditional Segments—Elimination of Contests

John Cochran (Iowa Intercollegiate Athletic Conference): On behalf of our conference and the Collegiate Conference of Illinois and Wisconsin, I would like to move Proposal 62-1.

Ms. Bassett: You are out of order. We need 62 to be moved, and then we can take the amendment.

Mr. Cochran: Thanks for that clarification. I would like to move Proposal 62.

[The motion was seconded.]

Mr. Cochran: Is it now in order to move Proposal 62-1?

Ms. Bassett: Yes.

Mr. Cochran: I would like to do so.

[The motion was seconded.]

Mr. Cochran: Due to the unique nature of women's rowing, which requires extensive competitive opportunities in the fall to maintain a viable program, Proposal 62-1 would add the sport of women's rowing to golf and tennis as a sport that is exempt from elimination of competition in the nontraditional segment. I urge your support. Thank you.

[Proposal No. 62-1 was adopted, 309-64-37.]

Ms. Bassett: We are now back to discussing Proposal 62, as amended by 62-1. Is there other discussion?

Mr. Cochran: Proposal 62 would eliminate competition in the nontraditional segment. With the exception of the three sports identified, it allows the membership in Division III to take a significant step in reducing not only the year-round pressures in competition and expectations on our student-athletes, but the strain of time demands and the challenges placed on institutional support staff and facilities. This proposal would preserve the opportunity for practice during the nontraditional segment but eliminate the heightened pressure for preparing for competition. It maintains a segment during the academic year when we allow our student-athletes to fully take advantage of the opportunity to integrate themselves into the student body and into our communities. I urge your support for this proposal as part of this significant reform movement. Thank you very much.

Wenmouth Williams (Ithaca College): A problem exists for those of us who work and live in the frozen tundra of upstate New York. Try running a track meet in the sleet or breaking the ice on the steeple chase pit, or trying to convince your pitchers to go out and pitch in a snowstorm. We are controlled by our weather, which forces us indoors in the spring. Many of our spring sports have fall nontraditional seasons, and I speak specifically to baseball. This particular proposal works a significant disadvantage for our spring athletes. Thank you.

Roe Adams (Colby College): I am president of Colby College and a member of the New

England Small College Athletic Conference. I rise to speak energetically in support of this resolution. We have heard a lot this weekend about the historic moment of this Convention that has come very powerfully from my colleague, John McCardell, and also from President Myles Brand.

I don't want to repeat those observations, but I do want to connect them to these questions about season length and what goes on in this case in the nontraditional season. As a previous speaker said, I think it is here that so many of the concerns that have led us to this moment and the impulses we have to change things on the basis of those concerns have crystallized.

The president from Hope College commented previously that at least three or four things are coming together in these discussions: Our concerns about the intensity of athletics competition, our concerns about the time our coaches are committing to various enterprises in which they are engaged, the resources of our institution, and the rising competitiveness generally that I think all of us experience as we look on our athletics programs.

All of us have deep commitments to those programs and we understand their educational values, but anybody who has been looking at and feeling and sensing the direction of those programs understands the nature of what Myles Brand described yesterday. One of the ways in which that drift is asserting itself is in the increasing time pressures that our students and our coaches experience in the pursuit of their very admirable athletics objectives. I think this is a decisive moment. It crystallizes in many of these questions having to do with season length, which crystallized so many of our concerns. I urge particularly that we hold our ground on this question or establish a common ground on this question of out-of-season competition, which I think is so worrisome as a trend in all of our institutions. Thank you.

John Schael (Washington University, Missouri): I rise in opposition to No. 62. I think it is important to remember what we see on the banners behind the dais. It says we are committed to protecting the best interest of the student-athlete. Another says we are committed to supporting athletics participation opportunities for student-athletes. As I stand before you this morning, I feel like I have the support of student-athletes who look forward to the competition without any pressure during the nontraditional seasons. It is an important part of their development. When you look at the nontraditional seasons in particular that take place during the spring, it is an opportunity for student-athletes to develop.

I don't think it takes away from their academic experience. There is not an institution within this convention center that has to have the nontraditional season. It is up to your conference. It can be up to your CEOs, who have final authority over the athletics programs. No one in here says that you have to have the nontraditional season. I know on our campus it is important. I also know on our campus, probably like many of yours, that you don't practice five or six days a week. Maybe you practice two or three in order to keep the group together.

I heard another speaker ask why do they spend so much time in athletics? Because it is important. That's why. They say if they didn't have that opportunity, they could move on to other areas and socialize. But they like to socialize as a group. They like their coaches. They like the bonding that takes place through intercollegiate athletics and all those things that we talk about that are positive. Let's not take away those opportunities. Let's vote against No. 62. Thank you.

Carlyle Carter (Minnesota Intercollegiate Athletic Conference): Our conference is in unanimous support of this proposal. Our conference does not permit competition in the nontraditional season, with the exception of golf and tennis. To my colleague from New York, we don't chip through the ice, we use it for hockey. We limit our practices to seven voluntary practices, including the recently approved five-week conditioning period for football. Our football coaches are permitted only to meet seven times during that five-week period with their student-athletes. Anyone who saw the Amos Alonzo Stagg Bowl this year

knows that is not a hindrance to success in competition. I believe this is a very valuable step in the reform movement. It is one way of showing our colleagues in other divisions that we are serious about those banners.

Our main goal in Division III is to protect the academic interest of our student-athletes. I am not sure that anyone here has not heard from their support staff about how far they are being stretched. What about our multi-sport athletes? What choice do they make if they are competing in the nontraditional season and competing in the traditional season? I believe this is an important step, and I urge you to support the legislation.

Al Dorenkamp (Central College, Iowa): Central College is a member of the Iowa Intercollegiate Athletic Association. I speak in support of Proposal 62. I think it moves the reform agenda forward.

I will not allude to some of the same comments that have already been made. I would echo the comments of Carter, who indicated that this does take the pressure off year-round athletic competition. I think it supports the idea that student-athletes in our institutions sometimes choose to participate in two or three sport activities. I am concerned about the facility issues as well as the support staff issues that all lead to dollars. When those dollars go toward those competitions outside the traditional seasons, those dollars and resources are taken away from other resources on campus.

Our institution is proud to be a member of the Iowa Intercollegiate Athletic Conference. We have been fortunate in our conference to have individual national championships and team national championships. We have done this with very limited nontraditional activity practice sessions. It has been personally demanding for me in the last year. I have worked with coaches in our department and hired many, many coaches as well as other staff members who I think have quite frankly got to the point where they are burned out.

I am concerned that this trend continues. I think this legislation supports the idea that we are cutting back and that we are not making Division III athletics, which I think is the purest form of amateur athletics in our country, bigger and bigger. Thank you.

Stuart Gulley (LaGrange College): I would like to move to end debate. I call the question.

Ms. Bassett: The question has been called. May I have a second?

[The motion was seconded and approved.]

Ms. Bassett: We have called the question. We are now ready to vote on Proposal No. 62, as amended.

[Proposal No. 62 was defeated, 234-181-5, as amended by No. 62-1.]

Playing and Practice Seasons—Nontraditional Segment —Practice Contest Limitations

Steve Ulrich (Centennial Conference): On behalf of the member institutions of the Centennial Conference, I move the adoption of Proposal 63.

[The motion was seconded.]

The Division III philosophy places the highest priority on the overall quality of the educational experience and the successful completion of all students' academic programs. Proposal 63 is consistent with that emphasis by setting reasonable limits on missed class time, segment length and number of contests that may occur during the nontraditional segments. It acknowledges that students want the opportunity to refine their skills during the off season; yet, this proposal reduces the increasing emphasis on practice and competition during the nontraditional segment. Current NCAA legislation permits practice and competition during a five-week nontraditional segment with one required day off during a calendar week. This can result in a maximum of 30 days of practice, with no more than six in a week. Proposal 63 permits 16 practices during the nontraditional segment and one date of competition, which counts toward the 16-practice maximum. It also recognizes that per-

mitting one date of competition enables the students to have a culminating event for the segment.

For the sport of football, Proposal 63 would permit institutions to conduct 16 conditioning and strength training sessions during the period of five consecutive weeks. Certain sports are not included in this proposal because they compete for a national collegiate championship and can apply Division I playing- and practice-season regulations. The NCAA strategic plan outlines three- to five-year outcome-oriented goals, including athletics as an integral part of the higher education experience. Among the objectives are increasing the number of students who succeed academically and increasing opportunities for students to integrate their academic, athletics and social interests.

The primary responsibility for reaching these objectives rests with the member institutions and conferences. The adoption of Proposal 63 is a first step toward achieving this goal. I urge your support.

Dennis Collins (North Coast Athletic Conference): I rise in support of Proposal 63.

This represents a reasonable reduction in the nontraditional season. Basically, it cuts a portion of practice in the off season, but preserves a meaningful period of teaching and instruction, which is what the nontraditional season is all about. It reduces contests to one, but the contests in the nontraditional season have proven to be the most onerous in the whole package of traditional and nontraditional seasons. It preserves, however, a reasonable amount of practice time, which is what we all want. We want the teaching. We want the instruction. We want to work with the student-athletes. It does preserve that. We urge your support of this proposal.

Steve Keenum (McMurry University): We are very fortunate at our university to have a new president, John Russell, a retired Air Force colonel who has spent many years on the faculty at the Air Force Academy.

In our discussions about this package, which were lengthy, we had a chance to look at each of these proposals very specifically. Dr. Russell has experience at the Air Force Academy, which is a place they spend a lot of time evaluating the cadets. They measure everything. In his experiences, he looked at the squadrons. The ones that had the best level of success year in and year out were the squadrons that had the highest participation in athletics. Because of that experience, he believes, as I do, and as our university believes, that athletics gives the ability to provide a compass for our student-athletes to use the education that we believe also is paramount in our mission—a compass to use that education.

That's why we oppose this legislation. We believe that these opportunities are golden in the character and leadership development of our student-athletes.

Dan Calandro (Knox College): This is going out to those of us who are like Knox College, where your softball coach is also your volleyball coach, your baseball coach is an assistant football coach, your facilities are limited. This is a chance to speak out and try to at least keep some sense of a limited amount of opportunities for those who do want to have a non-traditional segment. There have to be a lot of schools like Knox College that don't play non-traditionals. Those that do, you can still do it. But for those of you who don't, this is a chance to at least have some more restrictions in what is going on in the nontraditional. I speak in full support of Proposal No. 63. Thank you.

Bryan Matthews (Washington College, Maryland): I speak in favor of Proposal 63. I believe it is the best compromise that we have before us. As the former chair of the NCAA Division III Men's Lacrosse Committee, I would like to speak to the notion that a reduction in practice time during the nontraditional segment will be detrimental to teams chasing national championship dreams and excellence.

The Centennial Conference adopted a more restrictive nontraditional segment in 1994. In the ensuing nine years, the Centennial Conference has had a men's lacrosse team reach the national championship game five times. This proposal allows teams to accomplish team

and individual goals during the nontraditional segment. It also provides for a date of competition that can be used as a final scrimmage or a fund-raising activity such as a lacrosse game for leukemia, or an alumni contest.

Proposal 63 still permits teams to strive for national excellence while also keeping in perspective the role of athletics in an academic setting.

Jaime Fluker (Carthage College): I am a track and field student-athlete at Carthage College. The Student-Athlete Advisory Committee stands in opposition to Proposal 63. The nontraditional season allows an opportunity and a chance for coaches to actually teach fundamental skills. The traditional season is spent preparing for upcoming contests and competitions. Sixteen opportunities are not enough to get the appropriate amount of repetition. We respect and we value the diversity of Division III and its philosophy of institutional and conference autonomy. Thank you.

Les Poolman (Dickinson College): In rising to support Proposal 63, I would like to remind you of the concerns we all face each day in our control of teams participating in the nontraditional segment. Regardless of whether it is field space, availability of coaches or budget concerns related to travel and officials, the nontraditional segment is problematic on many fronts. In addition, the difficulty for many of us in providing athletics training services for practice and competition during the nontraditional season is not to be underestimated.

Proposal 63 not only alleviates the difficulties encountered by athletics departments by reducing the ever-increasing pressures to do more in the nontraditional segment, but it also provides balance. This proposal provides students the opportunity to receive valuable skill instruction and a competitive conclusion during the off season while also permitting them to be more engaged in the life of the institution outside of athletics. I strongly encourage your support of Proposal 63.

[Proposal No. 63 was adopted, 218-196-5.]

Playing and Practice Seasons—Elimination of Out-of-Season Exception

Jennifer Braaten (Ferrum College): On behalf of the Division III Management Council, I move Proposal No. 64.

[The motion was seconded.]

This proposal eliminates the out-of-season skills instruction exception currently permitted in the sports of fencing, gymnastics, riflery, rowing, skiing and swimming and diving. Because of the concerns that out-of-season coaching exceptions that have been used as a way to extend the playing season, this proposal stands behind the commitment to limit playing and practice seasons for all Division III sports and re-emphasizes that student-athletes are not to engage in athletically related activities with coaching staff outside the playing and practice season.

In this way, all Division III athletes will have the ability to pursue academics and additional activities outside the playing season without pressure to attend skill sessions with their coach. On behalf of the Management Council, I urge your support of Proposal No. 64.

Connee Zotos (Drew University): On behalf of the Management Council and the Playing and Practice Seasons Subcommittee, I support Proposal No. 64. This proposal is offered in response to increased requests from additional sports to adopt a similar out-of-season exception. We think that would be a step in the wrong direction. It is important to note that this proposal does not prohibit student-athletes from training out-of-season. If a student-athlete wants to train out-of-season, the student-athlete may train on his or her own time, and at his or her own volition.

Further, a coach may continue to monitor a facility if that is a duty the coach normally performs in that particular facility. This proposal stipulates that the coach cannot provide instruction while monitoring the facility, but can advise student-athletes to stop performing

in dangerous activity. This proposal re-establishes a limited playing season in the sports of fencing, gymnastics, rifle, rowing, skiing and swimming and diving, consistent with all other Division III sports. On behalf of the Management Council, I urge adoption of Proposal 64.

John Fry (Franklin and Marshall College): On behalf of the Division III Presidents Council and the Joint Subcommittee on the Future of Division III, I rise in support of this proposal.

A core tenet of Division III philosophy is to treat all sports in an equitable manner. This proposal re-commits all Division III sports to the concept of a consistent playing and practice season. In doing so, student-athletes are provided with time to engage in other endeavors outside the playing and practice season without fear that missing skill sessions with the coach will hurt their future with the team.

Further, the Division III philosophy states that institutions must ensure that athletics participants are not treated differently than other members of the student body. In keeping with the Division III philosophy, should student-athletes engage in voluntary workouts at institutional facilities outside the playing season, they will be subject to the same facility's access and supervision policies applicable to all students. I think we all recognize the unique conditions necessary for workout in the effected sports, but it is simply wrong to conclude that because these sports are unique coaches should be permitted to conduct skill instruction year round. Yet, in some schools, that is exactly what is occurring in these sports.

Such year-round coaching is not consistent with the Division III philosophy and should be ended. On behalf of the Presidents Council, I urge you to support this proposal. Thank you.

[Proposal No. 64 ws adopted, 315-68-35.]

Multidivision Classification—Awarding of Athletics Aid

Ivory Nelson (Lincoln University, Pennsylvania): On behalf of the Division III Presidents Council and the Management Council, I move Proposal No. 65.

[The motion was seconded.]

This proposal eliminates the waiver that permits Division III institutions to offer athletically related financial aid in Division I sports. This 20-year-old waiver has been re-examined in light of the future of Division III. A core and defining principle of the Division III philosophy statement is that institutions shall award no athletically related financial aid to any student. This philosophy applies to the institution as a whole. It should not apply sport-by-sport or student-athlete-by-student-athlete.

At its simplest, the way of permitting athletics aid does not fit within the philosophy of the division and thus should be removed. For these reasons, I urge your support of Proposal No. 65.

Shirley Ann Jackson (Rensselaer Polytechnic Institute): I move adoption of Proposal 65-1 as an amendment to Proposal 65.

[The motion was seconded.]

Proposal 65-1 provides an opportunity for the membership to address the philosophical concerns about multi-divisional classification and grants-in-aid raised by Proposal 65. It would do so, however, without harming eight Division III members who for reasons of tradition and history have successfully participated in a Division I sport. Specifically, Proposal 65-1 provides that the eight Division III multi-divisional institutions that offer grants-in-aid in their Division I sports will be permitted to maintain programs that are historically significant to them and that have economic implications for their communities and implications for alumni support and community culture.

If necessary to maintain Title IX compliance, schools among the eight would be allowed to elevate a team of the opposite sex to Division I and to offer grants-in-aid for that team.

Any new multi-divisional program with scholarships would be prohibited. The eight schools with Division I student-athletes are not allowed to play in Division III sports. They play only in Division I. Proposal 65-1 recognizes that the exemption granted to these eight schools was granted for good cause and has resulted in no harm to Division III or its members, and is consistent with respect for institutional autonomy and philosophical differences—a strategic plan core value.

There are three key additional points to be made. First, there is no financial benefit to Division III institutions that play up in a Division I sport. These institutions are precluded from receiving NCAA revenues that are afforded to Division I schools. In fact, these eight Division III members must absorb all the costs associated with playing one or two sports in Division I. Two, having a Division I sport does not elevate the athletics abilities of the Division III student-athletes. There is no crossover. It does not give these institutions a competitive edge over other Division III schools. Three, the elimination of the waiver would harm our institutions with no concomitant gain to other Division III programs. Our Division I programs are deeply embedded in our institutions and we ask the Division III membership to approve 65-1. We thank you for your support.

Ms. Bassett: A reminder. We are now focusing on the merits of Proposal 65-1. Are there other comments on this amendment-to-amendment?

Donna Ledwin (Allegheny Mountain Collegiate Conference): On behalf of the Management Council and the Joint Subcommittee on the Future of Division III, I speak in opposition to Proposal No. 65-1. I have heard a lot of comments over the past couple of days about 65-1 from folks who are very impressed by the lobbying campaign that has gone on since the initial legislation came forth—the e-mails, the phone calls, the buttons, the letters from senators, the expensive brochures. It reminds me of the scene in the movie Chicago, where Richard Gere is up there doing a dance called razzle dazzle. That is quite a razzle dazzle. I would ask you to look beyond the razzle dazzle. There is a lot more substance to this to be considered.

I have heard it said that 65-1 is a good compromise. I would suggest that 65-1 is a compromise of a compromise. The true compromise is 65. If you look at the future of the Division III survey, there were two very clear messages that came out of this body. One, that Division III should not offer athletically related aid. No school in Division III should offer athletically related aid. Two, this group expressed considerable opposition to multi-divisional classification. The Presidents Council, the Management Council and the subcommittee on Division III took a compromised position by not going after the multi-divisional classification portion of our legislation. Instead, they in effect cut these schools a break and said we won't try to take away that tradition, but we do want to put you in line with the Division III philosophy, and went after the component of athletically related aid.

Proposal 65 is the good compromise. The bad compromise of 65-1 is that it treats different members who sponsored Division I sports differently. Some of our schools are allowed to offer athletically related aid that have Division I programs and some are not, purely because of a date in time. It is completely inconsistent. I don't feel comfortable treating our different members differently like that. But don't mistake me. I am not in favor of financially related athletic aid at all.

I am here to tell you as plain as I can that the emperor has no clothes. Nothing in Proposal 65 precludes the eight sponsors of 65-1 from continuing their Division I traditions. Yet, they would have you believe that the sky would fall on their campuses if they were unable to continue to award athletically related aid. That is simply not the case. We have three Division III members, Hobart in men's lacrosse, Franklin and Marshall in wrestling, and Union College in men's and women's ice hockey, that all operate respected competitive programs at the Division I level without offering financial aid related to athletics. The Ivy League also competes and competes well in Division I without awarding athletically related

aid. This was some of the highest admissions and tuition fees in the country. Let's be honest. The eight sponsors of 65-1 are not about losing the opportunity to compete in Division I.

Proposal 65-1 is about enhancing the opportunity to compete for a Division I championship. The division is now setting its course for the future and we must look beyond the status quo. We must look beyond the way things were done 20 years ago. We must not allow ourselves to get caught up again in those politics by carving out grandfather clauses for a handful of institutions. Awarding athletically related aid by Division III institutions is simply inconsistent with our philosophy.

It has been said if you don't stand for something, you will fall for anything. I urge you to stand for the Division III philosophy and do not fall for such blatant special-interests legislation. I urge your opposition to Proposal No. 65-1.

Ivory Nelson (Lincoln University, Pennsylvania): On behalf of the Presidents Council and the Joint Subcommittee on the Future of Division III, I oppose Proposal No. 65-1. This proposal has been strategically drafted to stop any effect of Proposal No. 65 on those institutions currently offering athletics aid.

It carves out a grandfather clause for a few institutions while requiring that the rest of the Division III membership abide by all parts of the philosophy statement. It is in effect special-interest legislation. Reform efforts are designed to change things for the better. This proposal does not change the way Division III will conduct itself in the future. It leaves in place a policy that is inconsistent with the philosophy of the division for those few institutions that would be affected by the change.

This is not reform. The entire study on the future of the division asked us to examine not what we currently do but what we should do in the future. We should all be committed to the Division III philosophy statement even when that is a difficult commitment to make. Being a member of Division III means many things, but one thing it clearly means is that we do not support athletics aid. I urge your support in defeating Proposal 65-1.

Roger Hull (Union College, New York): I have wrestled with this issue probably longer than anything that I have dealt with. It was only this morning at 6:30 when I worked out, which is where I usually make my decisions, that I came to a conclusion.

As I said at the Presidents' Luncheon yesterday, for me this issue comes down to two parts. It is a question of collegiality versus conscience. Collegiality dictates that we would support 65-1 and oppose 65. The fact is that 37.5 percent of the institutions affected are in our athletics conference, and those three schools compete also in the ECAC Hockey League of which we are a part. The difference, as was just pointed out, between us and them, is that we do not offer scholarships. I had promised to one of my fellow presidents a month ago that I would stay mute on this issue and that I would probably abstain. I did it because I realized how important this issue was to these eight institutions.

However, I pointed out to him that I would remain mute unless and until someone said that one could not compete without athletics scholarships. That was said yesterday by two of the eight institutions at the Presidents' Luncheon. I rose then and I rise now. I believe one can compete. It is simply a question of how you define competition and competitiveness. For me, competition is fielding the team that has a reasonable chance of winning. Any time we take the ice, I feel our team can do so. It may only do so 40 percent of the time. But that is okay with me, because they have a shot each time they go out there. When they are more successful as they were a few years ago and they reached the grand plateau of 50 percent, I was tremendously proud, because two of those players were Pi Beta Kappa, a third was a semi-finalist Rhodes scholar, and a fourth had the highest M-CATS on our campus.

To me, that is what competition is all about. The difficulty for me is I have great respect for my fellow presidents and I have great respect for the institutions. The question is, does that respect and that collegiality trump conscience? When I became president of Union in

1990, the first decision that I was forced to make was whether we would take Army's place in the ECAC. In bringing the athletics director and the hockey coach in, I said that I would be willing to proceed with the sole understanding that we would never treat the 26 men, and I knew ultimately the 26 women, differently from the other students, whether they be athletes or non-athletes on campus. We have not and we will not. The question is, after 13 years, should my philosophy change? I feel somewhat behind the times, or in another sense, perhaps ahead of them, because for 13 years I have been a proponent of Prop 65 before there was a Prop 65.

In the 23 years I have been a college president, I have urged the people with whom I have worked to always bear one very simple thing in mind. No matter what you do in this line of work, you will be criticized. So you better do what you believe in. I believe that if I am going to be criticized, I would rather be criticized for holding the principles of Division III of no athletics scholarships. Conscience and collegiality both are tremendously important principles. For me, conscience trumps collegiality.

John Fry (Franklin & Marshall College): I am president of Franklin & Marshall College and this year's chair of the Centennial Conference. I speak for all of my colleague presidents in the Centennial Conference as I rise to support 65-1.

Let me first state that the Centennial Conference strongly supports the entire reform package with the exception of Proposal 65. While we agree with the philosophical basis underlying Proposal 65, its practical application is highly disruptive for Johns Hopkins University, one of our founding members, as well as for the Centennial Conference as a whole.

Why does the Centennial Conference take this position? First, it is clear to our members that the Johns Hopkins lacrosse program does not provide the university with any competitive advantage over us in Division III competition. We give as good as we get from them and sometimes even more. Beyond our own experience, national numbers demonstrate that these eight institutions do not enjoy unfair competitive advantage. For example, the national Director's Cup rankings over the past eight years demonstrate this point. Multi-divisional schools average finish since 1996 has been 83rd. There is simply no data to support the assertion that multi-divisional schools maintain an unfair competitive advantage over their colleagues in their conferences.

Second, beyond the competitive advantage, the waiver does not give these eight institutions any financial advantage either direct or indirect. They do not receive any Division I championship monetary disbursements. They do not receive the annual academic enhancement payout. Their Division I student-athletes do not have access to the special assistance fund. They do not receive Division I funding for sports sponsorships. They do not receive Division I funding in support of grants-in-aid they offer.

Finally, we are proud to have a world-class university like Johns Hopkins in the Centennial Conference. They have been an exemplary member and we cannot afford to lose them. If 65 in its unamended form passes and Johns Hopkins is forced to move to Division I, then one of the unintended consequences of this proposal is the destabilization of what is now a very, very helpful athletics conference. Among other things, this would lead to much more limited competitive opportunities for our students who would be the real losers in this whole thing. Please understand the significant disruption and consequences if you do not support 65-1.

If the institutions that the eight schools compete with are highly satisfied with the current arrangements, which we are, and do not feel disadvantaged in any way, which we don't, then why is there a concern? Thank you.

Suzanne Coffey (Bates College): On behalf of the Management Council and the Joint Subcommittee on the Future of Division III, I oppose Proposal 65-1.

This proposal essentially cancels out any effect of adopting Proposal 65. This amend-

ment makes it possible for a small number of institutions to continue using a waiver that is inconsistent with the Division III philosophy. This amendment creates a permanent exception where there once was a waiver, the result of which is contrary to the core tenets of Division III, the division that does not offer athletics scholarships. The purpose of Proposal No. 65 is to align the practices of Division III institutions with the philosophy statement.

Proposal 65-1 carves out a permanent exception to that philosophy for a limited number of institutions. The study on the future of Division III has brought difficult topics to the table. It represents an opportunity to make positive changes to the way Division III has been operating. The changes are made in the context of what is best for the division as a whole, moving into the future, rather than dwelling on the past. No one doubts the rich history of the sports programs in question, the educational commitments these schools have made to their student-athletes or the significant financial commitments that exist within local communities.

However, the Division III membership should carefully consider the fact that this amendment simply allows for business as usual and ignores the reform effort undertaken by Division III. For these reasons, I urge opposition to Proposal 65-1.

Peggy Williams (Ithaca College): I am the president of Ithaca College, which is a member of the Empire 8 Conference, but I am speaking for Ithaca College and myself. I want to make that clear.

This allowance has been in place for more than 20 years. I am a fan of change when change is warranted. I am a fan if it ain't broke, don't fix it. We have one of these schools in our conference. I don't believe that it gives them any unfair advantage over participation in all the other sports that are not Division I sports.

The NCAA gave these schools this allowance many years ago. I know many of these institutions very well. I think in their hearts they are Division III in many aspects, and they have these historical anomalies that I think should be allowed to continue. I approve of the notion of containing it. I don't think we want it to grow, but I think that we should be able to live with this. I believe that it does not give them an unfair advantage. Speaking as a member of a conference where one or two of these schools actually exist, we compete with another one where it does as well. Thank you.

John Strassburger (Ursinus College): I am the president of Ursinus College. I came to the Convention because I am so enthusiastic about the reforms. I have changed my mind on a couple of issues because of the quality of the debate.

I am really impressed with the seriousness with which you are debating these issues. I am actually here, though, also to support Proposition 65-1. The rest of the reform package affects each of us. Whether it is length of season or nontraditional, or number of contests, or redshirting, we all have something at stake.

This legislation is different. On the one hand, because it is different, it gives us an easy chance to support reform. On the other, it is different for a particular historical reason. There are a few American sports that have very regional and local traditions. Ice hockey and lacrosse are two of them. The schools offering Division I athletics scholarships are playing those sports. They are participating for long historical reasons in those sports in a different way than which they participate in Division III. There are historical reasons for those anomalies. There are a couple of points I want to make. One goes back to the debates about the United States Constitution. It has been a principle that if it is not good legislation, it is legislation that doesn't affect all of us. Just bear in mind we are talking about eight institutions. We are not talking about legislation that affects the rest of us or affects the competitiveness of the rest of us.

Second, Ursinus is a member of the Centennial Conference. In that sense, the Centennial Conference, as I watched Johns Hopkins, it is clear to me that the rich historic tradition that distinguishes their Division I lacrosse program does not provide them any

competitive advantage in the rest of the 20-some sports in which they play in the Centennial Conference. It is important for me to reiterate that the schools that have this exemption have no special advantages in competing in Division I. The exemption exists for these historical reasons. Voting for 65-1 doesn't affect the rest of the reform package because it doesn't affect the rest of us. So, I support 65-1. Thank you.

Ed Streb (Rowan University): I am president of the Faculty Athletics Representatives Association. I cannot tell you how many times over the years as a faculty member I have been in a particularly contentious meeting and found that someone would rise to say because we are faculty members, we can't agree on anything.

I must tell you, however, that at the FARA fall forum in November, every single member of Division III FARs who attended that meeting agreed that Proposal 65 is bad legislation, unless it is amended by 65-1. What is good legislation? Good legislation is legislation that solves some serious problem or produces some significant value without causing substantial harm. I don't see where there is any substantial advantage to lock-step adherence to the Division III philosophy. But I do believe, and all of us in FARA believe, that substantial harm will come to these eight institutions if 65 is adopted without 65-1.

The arguments have been made back and forth already. These institutions have a long history in these particular sports. We have allowed this to go on for 20 years. The gentleman who spoke earlier about the conflict between collegiality and conscience touched me, but I believe that in this instance collegiality is more important. If my conscience were so bothered by the fact that these eight schools are allowed to give financial aid, I might not have been able to sleep these past 20 years, but frankly I have been sleeping well and I will continue to sleep well in the future.

Finally, let me add this. I was surfing the Web not long ago, as those of us on the faculty often do. I came across the Web site of a prominent but small Vermont liberal arts college. I began to read through some of the material on that particular Web site, and if I may just very briefly quote from this particular site: "Indeed, the central purpose of a Middlebury education is precisely to transcend one's self and one's own concerns."

Today, I urge you to rise above our concern about absolute adherence to the Division III philosophy, to take a moment and view the world through the eyes of those eight institutions and vote to support 65-1. Thank you.

Dan DiBiasio (Wilmington College, Ohio): I speak on behalf of Wilmington College. I would urge that we favor and support 65-1. I do not believe that the waiver should be eliminated. I believe that to do so seems to be both unnecessary and unwarranted. It's unnecessary because the exemption isn't accommodation worthy of continuation. Practically speaking, it is unrelated to reform; unwarranted because of the length of time that it has been in place and because it has had no adverse impact on our division.

It is important in this case to honor past commitments that have served to strengthen institutional cultures and identities at these eight colleges and universities.

Brad Coffey (Amherst College): I am a soccer student-athlete. The Division III Student-Athlete Advisory Committee is in support of Proposal 65-1. Student-athletes understand the pride, tradition and prestige of our institutions.

To eliminate the exemption for those eight schools would serve to strip the students and their institutions of their identity. From a student-athlete's perspective, the loss of identity vastly outweighs any benefit gained by further aligning the Division III philosophy. The NCAA is convened today because of our mutual beliefs in the benefits of athletics competition. Benefits should include taking pride and passion in what we do and what we are a part of. These institutions have shown the abilities to supply these attributes to their students and their communities through the use of athletics grants-in-aid in these specific sports to create a unique and rich tradition.

To allow these students to lose this potential would be a mistake. These eight affected

schools are well-known as committed Division III member institutions. The waiver simply recognizes they are different and addresses that difference in a way that is completely legitimate and justifiable. The Division III Student-Athlete Advisory Committee strongly encourages you to take a stand and support 65-1. Thank you.

Steve Terry (University of Wisconsin, Stout): I move to call the question.

[The motion was seconded and approved.]

Ms. Bassett: We will now vote on the amendment-to-the-amendment. We are ready to vote on 65-1. The polls are open. Please cast your vote.

[Proposal No. 65-1 was adopted, 295-107-17.]

Ms. Bassett: We are now moving to 65, as amended by 65-1. Is there any more discussion?

Dick Kaiser (Defiance College): I think we need a clarification on a “yes” vote or a “no” vote. What exactly does a “yes” vote mean and a “no” vote mean for this legislation that has just been amended.

Dan Dutcher (NCAA Staff): A “yes” vote means that you adopt 65, as amended by 65-1. A “no” vote would eliminate the adoption of any legislation related to 65 or 65-1. A “yes” vote would change the legislation with the incorporation of 65-1. A “no” vote would retain the current language in the Manual.

Mr. Kaiser: Which means, therefore, a “no” vote would mean that the eight schools would still have their exemption?

Ms. Bassett: Yes, status quo would remain.

William Brody (Johns Hopkins University): I want to thank everybody for their support and encourage that you vote affirmatively on 65, as amended.

Ms. Bassett: We are now ready to vote on Proposal No. 65, as amended. Please cast your vote.

[Proposal No. 65 was adopted, 304-89-18, as amended by No. 65-1.]

Resolution—Division III Strategic Planning and Membership Growth

Dale Knobel (Denison University): On behalf of the Division III Presidents Council and the Joint Subcommittee on the Future of Division III, I move Proposal No. 66.

[The motion was seconded.]

This resolution establishes priorities for Division III strategic planning in light of the size, growth and diversity of the division. The study of the future of Division III has yielded many insights. It has helped us give better definition to who we are as a division and where we are going. Much work has been done over the last two years to establish policy to carry Division III into the future. The legislative package we have discussed this morning is significant, but it does not address every division issue that needs attention.

This resolution commits the governance structure to consider issues related to membership growth and diversity, including sports sponsorship requirements, sports equity issues, and access to postseason and championship opportunities. Our division has nearly doubled in size since 1973, and at 432 members, it is the largest of the divisions of the Association. There are additional prospective members. Size poses challenge to our budget, our ability to manage our championships and to the opportunities that we have to achieve consensus on important issues. This bears the most careful study.

Additionally, this resolution will commit the governance structure to better facilitate the exercise of institutional and conference autonomy and establish standards more restrictive than the division minimum. In this way, institutions and conferences may tailor the operations of their own programs guided by the Division III philosophy. For these reasons, I urge your support of Proposal No. 66.

Douglas Hastad (University of Wisconsin, La Crosse): On behalf of the Division III Management Council and the Joint Subcommittee on the Future of Division III, I support Proposal 66.

This resolution recognizes the importance of communication and broad conversation to accommodate the needs of a very diverse and growing membership. In order to facilitate discussion about legislation and program operation, this resolution proposes a commitment to fund this communication effort. Conferences and larger groups of institutions will benefit in the sharing of ideas among and across conferences. This initiative bolsters the ability for institutions and conferences to establish autonomy and more restrictive standards for the groups that wish to implement increased restrictions. The resolution will help guide the division strategic planning effort and provide an avenue to promote institutional and conference autonomy. For these reasons, I urge you to support Proposal 66.

[Proposal No. 66 was adopted, 399-9-6.]

Ms. Bassett: Proposal No. 67 in this grouping has been withdrawn. This concludes the morning's Presidents Council's grouping. Thank you for your attention and cooperation. Before we adjourn for lunch, I would like to take a moment to recognize Steve Argo, who is the president of the Division III Commissioners Association, for a brief presentation.

Stephen Argo (Southern Collegiate Athletic Conference): Thank you, Susan. On behalf of the Division III Commissioners Association, we started a Meritorious Service Award recognizing outstanding individuals in Division III athletics three years ago.

The individuals who we recognize have contributed at the conference level, the institutional level and Division III as a whole. While we may differ on proposals and legislative issues as a group, I think we all recognize the job that Dan Dutcher and Bridget Belgiovine have done for Division III athletics.

We have our differences, but we come together as a whole and recognize the division is stronger and is better, and we continue to look ahead to the future of Division III with our eyes gleaming with success on the horizon.

On behalf of the Division III Commissioners Association, it is a dual award this year to Dan Dutcher and Bridget Belgiovine for the Division III Meritorious Service Award.

[The delegates extended a prolonged standing ovation.]

Bridget Belgiovine (NCAA Staff): I think Dan and I would be remiss if we didn't say that it is the rest of our staff who really make us look good a lot of the times, particularly all of our legislative gurus, and that we are the membership. We are doing what you are asking us to do. So on behalf of all of you, I think Dan and I accept this gratefully.

Dan Dutcher (NCAA Staff): Thank you all very much. This really means a lot. I don't want to hold up lunch any further than necessary, but sincere thanks.

Ms. Bassett: Thank you. After lunch, we will open the window to reconsider any of the proposals voted on this morning. Again, please remember that the results of this morning's roll-call votes will be posted on the bulletin boards immediately outside, and the call to reconsider must come from the prevailing side. We will reconvene at 2 o'clock. Please be on time.

[The meeting was adjourned at 1 p.m. for lunch.]

AFTERNOON SESSION—ELECTION OF OFFICERS

John McCardell (Middlebury College): Will you come to order, please? Our next item of business involves the election of our new Management Council. You will recall under our governance structure that the Nominating Committee initially solicits and selects Management Council nominations. The Management Council and the Presidents Council then review those nominations. The positions ultimately are filled by a vote of our membership during this business session. I believe we have three new appointments and one re-appointment. You should have received the slate of nominees with your registration materials.

To present the official slate of nominees, I now introduce Bob Williams, faculty athletics representative at Swarthmore College, and chair of the Nominating Committee.

Robert Williams (Swarthmore College): Thank you, President McCardell. I would like to acknowledge and thank our Nominating Committee, Donna Ledwin, Rita Wiggs, Karen Johnson, Linda Moulton, Lee McKinney, Paul Mohr, President Dave Markey, and Sharon Tufano from our national office. Many thanks to them. They are a wonderful group of people to work with. The Nominating Committee wishes to thank the Division III membership for its interest in serving in the NCAA's committee structure, particularly in Division III. Since last year's Convention, the Nominating Committee has made appointment recommendations for nearly 80 committee vacancies. Currently, there are 266 individuals from Division III institutions serving on Division III and Association-wide committees. Of those members, 61 percent are men, 39 percent are women and 11 percent are ethnic minorities. The Nominating Committee is committed to increasing the number of women and minorities who participate in the NCAA structure, and we urge you to help us achieve that goal. Please encourage your colleagues, particularly women and minorities, to submit nomination materials to be considered for committee service.

On behalf of the Nominating Committee, I would like to present the slate of nominees for service on the Division III Management Council: The reappointment of Greg Harshaw, director of athletics, University of California, Santa Cruz; and the initial appointment for Val Cushman, director of athletics, Randolph-Macon Woman's College, Jone Dowd, senior woman administrator and associate director of athletics at Catholic University, and Travis Feezell, director of athletics, Whitman College. It should also be noted that the Division III Student-Athlete Advisory Committee appointed Sarah Forbus, Denison University, and David Masilunas, Pennsylvania State University, the Behrend College, to serve as the two SAAC representatives on the Management Council. SAAC members are chosen to represent their SAAC partner conference. The goal of the Conference Partner Program is to increase communication with non-representative conferences. SAAC representation rotates between the designated conferences.

If you would like more information about committee service, please stop by the committee administration booth, and speak with Sharon Tufano, NCAA committee coordinator. You can do that today or contact Sharon at the national office. Thank you.

Mr. McCardell: Thank you very much, Bob. I understand that you are completing your term on the committee. To you and the rest of the committee and its staff, for your hard work and success during the past few years, we say a heartfelt thank you.

The committee's nominees have been moved. Is there a second?

[The motion was seconded.]

Thank you. Are there other nominations from the floor? Assuming there are none, would all those in favor of the slate presented by the Nominating Committee please raise your paddles? Thank you. All opposed; abstentions. Congratulations, then, to our new Management Council members. I wonder if they might stand and be recognized. (Applause)

We look forward to working with you. Also, I want to take just a moment to remind the delegates of our recent appointments to the Presidents Council. As you may remember, the members of that body are appointed by a vote of the Division III CEOs. Our new members are President David Beckley of Rust College and President Peggy Williams of Ithaca College. Re-appointed to full four-year terms were Miriam Pride, president of Blackburn College, and Maggie O'Brian, president of St. Mary's College of Maryland. Would those members of the Presidents Council also please stand and allow us to recognize them? Thank you. (Applause)

That brings us back now back to the resumption of our legislative agenda. Again, leading us through this portion of our meeting will be Susan Bassett.

PROPOSED LEGISLATION

Susan Bassett (Hobart and William Smith Colleges): Thank you, John. Good afternoon. We have two main legislative tasks this afternoon. First is the window of reconsideration

related to our roll-call votes this morning. The second is to deal with Proposals Nos. 68 through 72, which will be paddle votes.

The window of reconsideration is now open for Proposals Nos. 55 through 67, and the related amendments. As a reminder, the motion to reconsider can only be brought by someone who voted on the prevailing side during the last vote. Any voting delegate can second that motion. Reconsideration then occurs by a majority vote. If the motion to reconsider is adopted, the morning vote no longer applies, and the proposal then is back before us for further discussion and another vote. Finally, please remember that the vote on a motion to reconsider and any subsequent vote will require a roll-call vote since Proposals 55 through 67, and related amendments, were roll-call votes. Is there a motion to reconsider any of the proposals that we handled this morning, Nos. 55 through 67, and the related amendments?

Playing and Practice Seasons—Nontraditional Segment —Practice and Contest Limitations

Peter Smith (Kenyon College): I would like to put forward a motion to reconsider Proposal 63 based on the Division III philosophy. I look for a second to that motion.

[The motion was seconded.]

In my comments on Proposals 60 and 61, I referred to the Division III philosophy showing that athletics participants are not treated differently than other members of the student body. We also really need to support student-athletes in their efforts to reach high levels of athletics performance.

I do realize we are in a reform environment. This morning, my vote was swayed in some sense to limit the nontraditional seasons to the length of playing times in the legislation. However, I really feel strongly that this type of legislation could be done at the institutional or the conference level. Thank you.

Paul Saikia (York College, Pennsylvania): Because of the climate we play in, we begin our baseball season with a spring trip to Florida. This is pretty common. We have to plan every year that we are not going to have an opportunity to practice outside before we actually have to start playing. This is why the fall season becomes so critical. In essence, it is being cut in half from 30 practices to 16, which to me seems excessive.

Additionally, what may be perhaps unique to baseball in some ways is from a recruiting standpoint. We are recruiting the same athletes who are looking at small Divisions I and II schools or NAIA schools. I think we are putting ourselves in a position where that inevitable question as to how many games do you get to play and what do you do in the fall is going to have a determining factor with some of our recruits as we start to go to the low side of that.

I would like to mention that our grades in the fall for our baseball program, in particular, are very good. I think a lot of it has to do with the fact that I am in contact with our athletes so much during that period of time. I think it is a critical period of time for our players to have some influence on the one person who has the opportunity to influence them more than anybody else on their campus. I do not like the idea of restricting those opportunities as well. Thank you.

Suzanne Coffey (Bates College): On behalf of the Division III Management Council and the Presidents Council, I urge you to defeat the motion to reconsider Proposal 63. The combination of Proposals 61 and 63, as adopted this morning, represents true and reasonable reform.

We came to this Convention with the intent of enacting reform that would be good for the membership at large. The combination of these two proposals represents that reform. I urge you to defeat this proposal to reconsider 63.

Ken Krsoloviy (Lake Erie College): I would like to echo what was said by the speaker two back and also reiterate about the number of contests. In No. 60, we had voted to allow

contests to stay the same. Had that result gone the other way in baseball, we would have had a net reduction to 41 contests. Essentially, that is what we have done by voting yes on No. 63. We have gone down to that same number of contests. The reduced practices are fine, but baseball players want to play baseball, football players want to play football. Further reducing the numbers is only going to hurt us in terms of recruiting and student retention.

Jaime Fluker (Carthage College): I am a track and field student-athlete. The Division III Student-Athlete Advisory Committee is asking for clarification on how Proposals 61 and 63 work in combination with one another.

Leah Nilsson (NCAA Staff): Ultimately, under the adoption of both Proposals 61 and 63, you are left with an 18-week length of season for your fall sports and 19 weeks for your winter sports and your spring sports. Ultimately, the nontraditional segment will include a maximum of 16 practice opportunities with no more than four practices in any one week. Your one date of competition in the nontraditional segment counts as one of those 16 practice opportunities. I will give a few examples of how the weeks might play out so we can see how these two proposals work together.

Under the adoption of 61 and 63, you could play a 15-week traditional season, for example, in your spring sports, and use the four remaining of your 19 weeks in the nontraditional segment, with 16 total practices over those four weeks. So, we will say four per week, including one date of competition. You also would have the option to play more weeks in the traditional segment. You could play 16 weeks in the traditional segment, which would leave three weeks for your nontraditional segment. Because you are limited to four practices in the nontraditional segment, that would result in 12 practices over the three weeks in the nontraditional segments. Consistent with current legislation, you could play 19 continuous weeks in the traditional segment. However, also current with existing legislation, when you run one continuous segment, you do not have the opportunity to play the one date of competition that you would have had if you were to have a separate nontraditional segment.

Steve Ulrich (Centennial Conference): I want to speak about how the Centennial Conference arrived at Proposal 63 and answer some questions that may be among the membership.

Nine years ago, the Centennial Conference decided to limit its nontraditional segment in the manner that is before you today. We looked at a number of different things. We looked at the interest for the students. We looked at the ability to retain students. We looked at the facilities. We looked at athletic training. We established a model that worked for our conference.

We are living proof that 16 practices and one date of competition does work. As presidents and athletics directors know, when you try to arrive at a decision, you take input from a number of different constituencies, and you try to make the best decision based upon that input. That is what we did in arriving at this. We have a 16-practice date model that provides students with the opportunity to practice during the off-season. It permits freshmen who are participating on the spring team to meet their teammates in the fall. They get a chance to work out. They get a chance to meet new friends. They get an instant group of people to be together with. We have talked to our trainers. They tell us what we are able to do to give the proper athletic training coverage to make sure that student-athlete welfare is well taken care of.

We also give our coaches the opportunity to use those 15 days of practice to determine who is going to be a team member in the following season. It gives them the opportunity to make some decisions, perhaps put in some offense, do some skill instruction. Then, with the one date of competition, it gives them the opportunity to put that skill instruction and coaching to use and to find out how it was received by student-athletes. We think this is

very good legislation. I urge you to vote down reconsideration. Thank you.

John Ratliff (Keene State College): Being from New England, the only time our spring sports are allowed to have alumni games or that works for them is to have those alumni games in the fall because the spring season is so short.

I am not opposed to the reduction of the nontraditional season. I am opposed to only having the alumni game be exempt in the traditional season and not in the nontraditional season. Having only one opportunity to compete in the nontraditional season and having that used as an alumni game is not fair for our students because the alumni game is a fun time and not really a teaching opportunity as playing in competition against outside competition would be. I urge you to reconsider 63.

Heather Mathis (Maryville College): I am a soccer student-athlete. Each year, conferences want to limit the playing and practice seasons. It is evident that the membership voted a reduction in the playing season weeks with the adoption of Proposal 61. However, with Proposal 63, the restriction is more severe than the membership may have realized. It was clear with Proposal 60 that the membership did not want the most restrictive playing- and practice-season model. The student-athlete now fears we have gone even beyond limitations of Proposal 60. We hope the support of 63 was unintentional since we all value the benefits of athletics participation at the Division III level. We strongly encourage you to reconsider Proposal 63. Thank you.

Dan Harris (Milwaukee School of Engineering): Does the one date of competition mean that you can play multiple contests that day? For example, is a double-header in baseball or a soccer tournament with multi-teams allowable, or does that mean only one contest?

Ms. Bassett: Multi.

Mr. Harris: Multi-competition?

Ms. Bassett: Yes.

Carlyle Carter (Minnesota Intercollegiate Athletic Conference): As a conference that limits nontraditional practice to seven opportunities to meet with coaches, I know Minnesota's fall is not better than others and probably worse than most. So, we have an opportunity to provide our coaches with seven opportunities to meet with their student-athletes. We also restrict our conference to one alumni game if they choose. In 2002, I believe the University of St. Thomas, which did not win our conference, ended up being named national champions.

So it is possible to be competitive. It is possible to connect with your student-athletes in the fall with this legislation. Clearly, reconsidering and defeating this is a step backward from what we have done this morning.

Michael Miranda (Plattsburgh State University of New York): I also urge that the motion to reconsider fail. The modest steps we have taken in the forum this morning will be largely undone if we start to dismantle some of these reasonably moderate approaches to addressing some of the issues that we have had.

With all due respect to the situation that baseball teams in the Northeast are faced—we have a program of our own—I don't believe that this will be so detrimental to them that they will not be able to survive. Quite honestly, this may be naive of me, but if a student is deciding to attend your institution based on the number of contests that you are allowed to play in the fall, I have to ask questions about his commitment to that particular institution. I don't think that is a very persuasive argument. I believe that we have passed a reasonably moderate reform measure this morning. I would hope that we not undo that this afternoon. Thank you.

John Cochrane (Iowa Intercollegiate Athletic Conference): I move to call the question on the reconsideration of Proposal No. 63.

[The motion was seconded and approved, 344-58-1.]

Ms. Bassett: We will vote on reconsideration of 63. This is a roll-call vote. Your vote

right now is to reconsider 63. Please cast your vote. The polls are closed. The vote to reconsider is 191 in favor, 214 opposed, 1 abstention. Proposal 63 will not be reconsidered.

Are there any other motions to reconsider other proposals? If not, we are closing the window of reconsideration of the morning's roll-call votes and we will move to the paddle voting. We can now consider the rest of our Proposals Nos. 68 through 72. We can vote on these proposals using our paddle. However, please keep your voting units handy. We will use them to tally the vote if any paddle vote appears to be too close to call. Our next proposal is Proposal 68.

Membership—Conditions and Obligations of Active Membership —Certification of Insurance Coverage

Suzanne Coffey (Bates College): Thank you, Susan. On behalf of the Division III Management and Presidents Councils, I move Proposal 68.

[The motion was seconded.]

This proposal requires an institution to certify as a condition of membership that all student-athletes have medical insurance coverage up to the NCAA catastrophic injury insurance deductible.

This proposal is based on a study by the Executive Committee's Risk Management and Insurance Task Force. That group concluded, and the Management Council agrees, that the health and welfare of student-athletes will be enhanced if all institutions certify that all student-athletes have medical insurance. It may surprise you, but the study found about 25 percent of the schools in our division do not currently certify that student-athletes have medical insurance. This proposal does not require an institution to finance such insurance. Each institution may decide how to handle student-athletes without insurance. Under NCAA Bylaw 16.4.9, the institution may purchase the insurance as an expense incidental to participation, or the institution may decide to require that the student-athlete fund his or her own insurance before participating on an intercollegiate team.

The decision is left up to the institution. This proposal protects the student-athlete from a situation where he or she might owe tens of thousands of dollars in medical expenses and have no medical insurance to cover the first \$65,000 until the NCAA plan takes over. This financially devastating event does occur at NCAA institutions, and it is time to eliminate that possibility. For these reasons, I urge you to vote yes on Proposal 68.

Dan DiBiasio (Wilmington College, Ohio): On behalf of the Presidents Council, I move Proposal 68-1.

[The motion was seconded.]

You just heard what the insurance proposal does to protect student-athletes and promote student-athlete welfare. The Presidents Council emphasized two aspects of this proposal. First, in an age of increased litigation and skyrocketing medical costs, it is absolutely imperative that all student-athletes competing at our institutions have medical coverage up to the NCAA deductible. The goal of this proposal is to protect the physical health of student-athletes and protect the financial health of student-athletes and their families. Second, implementation of this certification program will take time. While the certification is very important, it will be a new procedure for many institutions.

Therefore, this amendment-to-the-amendment delays the effective date of the proposal by one year. This delay is intended to accommodate the needs of each campus to design its certification system and allows time for the NCAA to distribute educational materials to member institutions about how they might implement this program. But the bottom line is that this certification is essential to protect our student-athletes and their families. For these reasons, I urge you to support Proposal 68-1.

Ms. Bassett: A reminder that we are focusing now on 68, the one-year delay in effective date. Is there any other discussion related to that amendment? We are now ready to vote on 68-1.

[Proposal No. 68-1 was adopted.]

Now we are ready to move to 68, as amended. Is there any other discussion?

Linda Case (State University College at Brockport): Could we have some clarification? We hear two very different things. One is that we have to prove that our student-athletes have insurance. Another is that we have to provide insurance from where their insurance ends up to where the NCAA's catastrophic would pick up.

Leah Nilsson (NCAA Staff): The legislation would require that you certify that your students are covered up to the catastrophic injury insurance deductible, which is \$65,000. You are permitted to finance the insurance, but you are not required to finance that insurance. It is an institutional choice.

Ms. Case: So we would have to check each individual policy from each student-athlete to determine what kind of insurance and what it covers?

Ms. Nilsson: That is correct.

Bill Klika (Fairleigh Dickinson University, Florham): If the student-athlete doesn't, they are not allowed to participate. Would my interpretation be correct?

Ms. Nilsson: Yes, essentially.

Ms. Bassett: We are now ready to vote on Proposal 68, as amended.

[Proposal No. 68 was adopted.]

Playing and Practice Seasons—Annual Exemptions

Debby DeAngelis (California State University, Hayward): On behalf of California State University, Hayward, and nine other members of Division III independents, I move adoption of Proposal 69.

[The motion was seconded.]

Current NCAA rules allow student-athletes in Division III conferences to participate in season-ending conference championships that are exempt from regular season contest limits. The rules provide conference student-athletes the opportunity to cap off their regular season with postseason experience regardless of their eligibility for NCAA championships. Proposal No. 69 simply allows student-athletes at independent institutions the same kind of exempted season-ending experience.

Because of the combined challenges of funding and distance, not all independent institutions will be able to offer their student-athletes this kind of postseason experience. We don't expect all independent institutions to do that or to offer championships in all sports. However, an informal survey completed last year did reflect enough interest that our Association will move ahead with plans for championships in selected sports among all interested independent institutions this coming year, assuming this proposal is adopted.

Independent championships will use a format very similar to conference championships and will be played between the end of the regular season and conference championships. We urge your support of this proposal for the equitable postseason opportunity for independent institution student-athletes. Thank you.

Dick Strockbine (University of Dallas): As a member of the Division III Management Council, I speak in support of Proposal No. 69. This proposal creates equity between conference and independent institutions by establishing an independents' championship. In this way, student-athletes at independent institutions will have a limited season-ending experience that is similar to their peers at conference institutions. Student-athletes at independent institutions should not be precluded from such competitive opportunities. The experience of student-athletes at independent institutions would be enhanced significantly by providing a chance to compete in limited postseason competition regardless of selection for NCAA championship. For these reasons, I urge your support of Proposal No. 69.

Greg Harshaw (University of California, Santa Cruz): On behalf of the Division III Management Council, I speak in support of Proposal 69. The Management Council and its

Playing and Practice Seasons Subcommittee, support this proposal because it provides equity for independent institutions.

There was an initial concern that the format of these championships included reasonable time limits and that the event concluded by the NCAA championships selection date for the sport. The sponsors of this proposal have indicated that the events will be designed in a manner similar to conference championships. Institutions should not be placed at a competitive disadvantage because of their independent status. The creation of this exempted tournament establishes postseason equity for the independent institutions, and especially the student-athletes at these institution. For these reasons, I urge you to support Proposal No. 69.

Gary Karner (Wisconsin Intercollegiate Athletic Conference): Does this opportunity extend to just independent institutions, or is it on a sport-by-sport basis so that if there are conferences that have sports that are not automatic-qualifying sports, that they would be able to have a culminating experience?

Ms. Nilsson: Our initial interpretation is that it is on a sport-by-sport basis if they are not a member of a conference.

Mr. Karner: What if they are a member of a conference but . . .

Ms. Nilsson: If they are not a member of a conference for that sport, they would be allowed to have an independent championship for that particular sport.

Mr. Karner: Okay. Maybe I am a little slow on this. What if you are a member of a conference and you don't have an AQ in that sport? For example, you have four schools in your conference that sponsor that particular sport, so you don't have a conference championship. Would those four schools be allowed to conduct some sort of postseason event?

Ms. Nilsson: If they are a member of a conference for that particular sport, this does not apply, regardless of AQ status.

Mr. Karner: Regardless of whether or not the conference considers that a championship sport if their institution is a member of a conference?

Ms. Nilsson: We think regardless of that classification if the conference . . .

Mr. Karner: If they are a conference member, period, you are saying that it wouldn't extend to that?

Ms. Nilsson: Yes, that is our initial interpretation.

Mr. Karner: Okay. Thank you.

Dick Strockbine (University of Dallas): In response to Gary's question, the intention of the sponsor was that if you have a conference sport that does not qualify for an AQ, but you hold a conference tournament, you would not be eligible. You wouldn't get two season-ending opportunities. That was the intention of the sponsor.

Aaron Brock (Alma College): I guess I am the only person speaking in opposition to this. There are numerous sports that don't have conference tournaments at the end. In our league, as an example, softball has a conference championship. Baseball does not. In softball, however, only the top four teams are allowed into that tournament. This legislation would in essence provide additional opportunities for the independents that are not available to all members of a conference. Thank you.

Ken Kutler (Ithaca College): It seems to me that there is detail lacking in the way the legislation is written. I am unsure as to how teams would be selected for a tournament. Is it just let's get together and play? If I am an independent and you are an independent, or if four of us or six of us are strong teams and we get together, that could possibly influence a selection to the NCAA tournament. I am unsure as to how teams are going to be selected to play in these tournaments.

Dick Strockbine (University of Dallas): Those procedures have not been determined yet, Tom. The point we want to make now is that we have the opportunity to have what is equivalent to a conference championship. It will be done as possible on a regional basis. But we

have not worked out all the details yet.

Tom Hart (Webster University): I understand the independents' need and desire to equal the playing field in terms of number of contests. I guess my concern isn't so much with the fact they want to add, especially in this spirit of reform.

It seems as though we are looking to add games by looking for exemptions. I would hope that the Playing and Practice Seasons Committee would look at the exemption itself for post-season conference tournaments. It seems to me if we all have to play the same number of games and conferences want to have postseason tournaments, that is fine. But they should have to count that within their number of allowable contests.

Right now, we are in a situation that we are going to have independents that want to have more games because the conferences get more games. We seem to be moving in the opposite direction of reform. I would hope that the Playing and Practice Seasons Committee could look at that exemption that is currently being allowed for conferences, and perhaps we can talk about this next year.

Todd Hutton (Utica College): I am the president of Utica College and president of Empire 8. Our presidents support the spirit of participation, but we oppose the legislation. It lacks critical detail. Some of those details have been raised today. I would urge that this legislation be defeated and studied further.

Ira Zeff (Nebraska Wesleyan University): In response to a previous question from Microphone No. 2. Even though his conference has chosen not to have conference tournaments, the legislation does allow them to exempt them from the contest limits. All we are trying to do is to be equal to that opportunity.

John Schael (Washington University, Missouri): I rise in support of Proposal No. 69. I think this is a practice that is already in existence, particularly with the ECAC. They can play their regular number of allowable traditional games. After the selections for the NCAA tournament, they are allowed to get into the ECAC tournament.

I don't know how this proposal by the independents is any different than what we already permit in the ECAC. I urge your support for Proposal No. 69.

Carlyle Carter (Minnesota Intercollegiate Athletic Conference): I have a question for clarification. Currently, in order for a conference postseason tournament to not count against your maximum dates of contests, aren't we required to have our AQ come out of that postseason?

Ms. Nilsson: No. Whether or not you get an AQ out of your conference tournament does not change the fact that you can exempt your conference tournament. Maybe I do not understand the question. It doesn't matter. Right now, if you are in a conference, you can conduct a conference tournament and you can exempt those contests.

Mr. Carter: Whether or not your AQ comes out of the regular season?

Ms. Nilsson: There is not a connection between where your AQ comes from and your opportunity to exempt your conference tournament.

Mr. Carter: Okay.

Dick Rasmussen (University Athletic Association): I believe the current legislation has a qualifier and that it is a conference tournament that determines your conference champion. In any case, there are conferences like ours in some sports where we don't have the requisite number for automatic qualification, but it is still a conference tournament. It determines a conference champion and, therefore, it is covered under the exclusion.

Ms. Nilsson: Perhaps the confusion is the tournament used to determine your conference's automatic entries, but there is a phrase before that. I am looking, for example, in field hockey. Competition in one conference championship tournament in field hockey. Then there is an "or" provision, which is "or the tournament used to determine your automatic entry." So it is one or the other.

Tom Bonerbo (Pennsylvania Athletic Conference): How will this be funded? In the tournament format, how will this be funded?

Ms. Nilsson: I will defer to the sponsor.

Greg Harshaw (University of California, Santa Cruz): It would be funded by each individual institution.

Ken Kutler (Ithaca College): We are still unsure about conference schools. Let's talk about field hockey. You just gave that example. In the conference in which there are not enough students to play for the AQ, can a conference member playing field hockey play in an independent postseason tournament? Yes or no?

Ms. Nilsson: I would defer to the sponsor. My interpretation is no, but I would defer to the sponsor.

Dick Strockbine (University of Dallas): If I understand the question correctly, the answer is no.

Walter Johnson (North Central College): I really want to support this legislation, but there is a lot of loose ends and a lot of pieces of it that are vague. I would suggest that we vote this down now and ask the independents to work out a little more of the details and bring it back to next year's Convention.

Dennis Collins (North Coast Athletic Conference): I think most of the conferences would want to support the independents. A couple of years ago, we exempted the remaining vestige of our conference tournaments that were not exempt. All of our conference postseason tournaments are exempt. Obviously, we don't have everything nailed down right now, but I would be willing to support this proposal for the independent portions of our membership to give them the same opportunities we have. Maybe that is not the way to do it, but I think that it is a show of good faith at this point. So, I support it.

Debby DeAngelis (California State University, Hayward): I again urge you to support it. The Division III Independents Association has done quite a bit of survey work about what might come. But without passing this legislation today, to move forward with any sort of detail is very difficult. This is permissive legislation. I would ask you to consider supporting it.

Dick Rasmussen (University Athletic Association): I would also urge support of this proposal. The fact that there is not a lot of detail to it, I don't think is particularly relevant. We don't enforce any detail on conferences with regard to how they structure their own conference champions. If it is a conference of eight, whether it has to be all eight schools or only four or six, we leave that detail up to the conferences. I would view this as really no different in terms of the detail. That detail needs to be worked out within the framework of the proposal, which is very much equivalent to what the conferences have at this time.

Ms. Bassett: We are now prepared to vote on Proposal 69.

[Proposal No. 69 was adopted.]

Playing and Practice Seasons—Coaching Activities Outside the Playing Season

Suzanne Coffey (Bates College): On behalf of the Playing and Practice Seasons Subcommittee and the Management Council, I move Proposal 70.

[The motion was seconded.]

This proposal allows coaches to be involved in coaching activities when they accompany a student-athlete to an established national championship event or Olympic, Pan American, World Cup or World University Games qualifying competition. Currently, it is permissible for institutions to provide travel expenses for coaches to accompany student-athletes to these events, but it is not permissible for the coach to engage in coaching activities outside of the institution's playing season.

These are limited events with stringent qualifying standards, thus this proposal will only increase out-of-season coaching in a few limited special occasions. This proposal speaks directly to student-athlete and institutional welfare because the student-athlete can receive coaching at these special events. The institution can reasonably ask the coach to accom-

pany the student-athlete for liability concerns without having to be concerned with coaching activities that may occur on the trip.

For these reasons, I urge support of Proposal No. 70.

[Proposal No. 70 was adopted.]

Playing and Practice Seasons—Exception to First Contest Date —Exhibition Contests—Basketball

John Krogman (University of Wisconsin, Platteville): On behalf of the Wisconsin Intercollegiate Athletic Conference, I move adoption of Proposal No. 71.

[The motion was seconded.]

Under current NCAA legislation, Division III institutions are permitted to play in the Basketball Hall of Fame Tipoff Classic and/or against a foreign team prior to the first permissible contest date. In addition, a contest versus a foreign team is exempt from the maximum number of contests permitted each year. As permissive legislation, Proposal No. 71 would simply allow a Division III institution to play an exhibition game against a Division I or Division II opponent prior to the first permissible contest date. Furthermore, this proposal stipulates that although this contest as an exhibition game would not count toward an institution's won-loss record, it would count as one of the participating institution's 25 permissible contests for that season.

This proposal neither increases the number of allowable contests nor lengthens the playing and practice season in the sport of basketball. Lastly, it also should be noted that this proposal was supported by the Playing and Practice Seasons Subcommittee of the NCAA Management Council, as well as the NCAA Student-Athlete Advisory Committee. Thank you.

Douglas Hastad (University of Wisconsin, La Crosse): On behalf of the Management Council, I speak in support of Proposal No. 71. This proposal would allow a Division III institution to play an exhibition contest against a Division I or Division II institution in basketball between November 1 and the first permissible contest date.

In so doing, student-athletes are provided with a unique preseason opportunity to compete against Division I and Division II competition without lengthening the playing season or increasing the number of basketball contests played. This contest would not count toward the institution's win-loss record, but it would count toward the institution's maximum contest limitations for the year. For these reasons, I urge you to support Proposal 71.

[Proposal No. 71 was adopted.]

Playing and Practice Seasons—Track and Field —Maximum Contest Limitations—Multi-Day Events

Suzanne Coffey (Bates College): On behalf of the Division III Playing and Practice Seasons Subcommittee of the Management Council, I move Proposal No. 72.

[The motion was seconded.]

My apologies. I believe I have made a mistake in moving that proposal.

Ms. Bassett: Okay. We can handle that.

Tim Gleason (Ohio Athletic Conference): I move Proposal No. 72.

[The motion was seconded.]

This proposal is consistent with track and field in other NCAA divisions and it is consistent in Division III in other sports, i.e., wrestling. The reason is the unique nature of the sport.

A two-day track meet is not two days of the same competition. Many times, a student-athlete qualifies one day and competes in the finals the next. His or her reward is to be held out of a future meet. In addition, there are events such as the decathlon and heptathlon that actually take two days to complete. Track and field is a sport conducted primarily on

weekends, with relatively modest impact on missed class time. This proposal will also have minimal impact on budgets. Proposal 72 clearly benefits student-athletes. I urge your support.

Ms. Coffey: I was really anxious to support this proposal. On behalf of the Division III Playing and Practice Seasons Subcommittee and the Management Council, we do support Proposal 72.

This proposal allows Division III institutions to count the first two days of a multi-day track contest as a single date of competition. Many track meets include a multi-day format and many events include preliminary competition on one day and final competition on the next. Charging two days of competition for single meets or events effectively holds student-athletes out of future events, which is against the spirit and philosophy of Division III. Student-athletes in other NCAA divisions are given relief with numerous multi-day exemptions. Permitting multi-day exemptions is very appropriate for Division III. I urge your support of this proposal.

[Proposal No. 72 was adopted.]

Ms. Bassett: We will now open the window of reconsideration for non-roll-call votes.

Jim Nelson (Suffolk University): Let me reserve my comments on reconsideration. A number of my colleagues have been asking what happened to “the Don” legend. For those of you who are not familiar with the Don legend, you may ask one of your veteran delegates or just take a nap.

Let me say that the Don legend imploded when I returned home from last year’s Convention. For those of you who may remember, I mentioned to my wife that I was going to become Don Juan at last year’s Convention, and she found that rather humorous, even though I did mention that we did have those five children, half of my intended goal. She went on to say: “Don’t even dream about it.” I never gave it any thought that she would discover that I actually made those remarks on the Convention floor, because every time previously we had received those little red books of the Convention Proceedings. What should the NCAA do in their great wisdom? No more little red books. You guessed it, the Internet.

I never brought that book home. Well, now what does Mrs. Don Juan do? She clicks on and I am toast, burnt toast. I am the crust. So what is this Don to do? Of course, I am bringing a palimony suit against the NCAA, loss of consortium. I never even knew there was such a word. I am sleeping out in the camper now. Do you know how cold it is in Boston? Do you think the \$66 million restricted-earnings suit was huge? Wait until my case is stated. So when next year’s dues skyrocket to settle this injustice, just think of this Don shimmering around with my newest Don friend, Donald Trump.

Oh, yes, when this is settled back at Suffolk University, there will be SUVs for all our coaches, a Division I ABCF game in three years, probation in four. Dr. Brand, we will put those seven new investigators to work for you.

I have no reconsideration.

Ms. Bassett: Are there any proposals that the delegates would like to reconsider? If not, the window of reconsideration is now closed. We have finished our legislative voting. That concludes the afternoon’s formal legislative agenda.

Before I turn the gavel over to John, I would like to say thank you to the Division III membership and to the Management Council for the opportunity that I have had this past year to serve in this capacity. It has been an honor and a privilege to work together with all of you and the NCAA staff for the greater good of intercollegiate athletics.

This has been an important day for Division III. I congratulate you for your attention to the future of Division III work. I commend you and I look forward to the implementation and the future work of the division together. Thank you very much.

Suzanne Coffey (Bates College): Madam Chair, it is with admiration and respect that I rise to honor and congratulate Susan on her skillful management of today’s voting session.

Division III has benefitted from Susan's superb leadership during this challenging year, which the focus has been on engaging our diverse membership in the hard work of examining and applying our philosophical principles.

Susan worked tirelessly on our behalf through countless hours of deliberations. The product of her leadership is far greater than the sum of proposals debated today. During Susan's tenure as chair of the Management Council, we have institutionalized processes for soliciting membership involvement in the work of the governance structure. She set a goal for us that all of our communication would be clear and open, and that we would increase transparency in the legislative process. Susan, with your careful guidance, we have achieved all the goals you set for us. We, as a division, are truly indebted to you for your wise and thoughtful leadership.

I ask my colleagues now to join me in thanking you for your service to the Council, to the division and to the NCAA.

[The delegates extended a prolonged standing ovation.]

Ms. Bassett: Thank you, Suzanne. I turn it over to John McCardell.

Mr. McCardell: Before we conclude, I will recognize Microphone No. 2.

Phillip Stone (Bridgewater College, Virginia): I have a point of privilege here, please, John. John, I think the audience probably knows that you will continue to serve as our chair for the coming year, and it is your last year of eligibility on the Council.

They probably also know, however, that you will be retiring as president of Middlebury July 1. So you will be stepping down at that point as our chair. We will not have an opportunity at the Convention next year to thank you while you are finishing up as chair.

During this time, as we have looked to the future of Division III, gone through the work we have done today, this great work we have done on reform, you have led us in a way that is visionary but also polite and civil. You have modeled what we try to teach our student-athletes about being able to disagree civilly and politely.

Sir, I congratulate you on the great work you have done as chair, and I thank you on behalf of the Presidents Council and the member institutions for your outstanding leadership.

[The delegates extended a prolonged standing ovation.]

Mr. McCardell: Thank you, Phil, for those very warm comments. Before we adjourn, I'd like to respond to those extraordinarily generous comments, partly by way of thanks to all of you. This has indeed turned out to be a magical moment.

We began our deliberations at this Convention, I think in a mood of cautious optimism, but also under a cloud of speculation that perhaps we had become so large and so diverse as to be ungovernable, ungovernability being defined as an inability to get ourselves beyond the status quo. I believe that our decisions today give the lie to those assertions of ungovernability and allow us to make our optimism less cautious and ground that optimism not only about our present state but also about its future prospects on a base of positive and significant and substantive accomplishment.

We have made major decisions at this Convention, and we have both defined and brightened the future of Division III. We have done so in the spirit of civil and respectful discussion and debate, which has, nevertheless, gotten results. As we take our leave from Nashville, we should do so with the sense of quiet, yet deep and genuine and abiding pride in a job well done, and a renewed sense of confidence in our future. I thank you all for the seriousness, for the professionalism and care with which you have conducted our business in this historic year.

Is there any further business to come before this Convention?

Gary Karner (National Association of Division III Athletic Administrators): As president of the National Association of Division III Athletic Administrators, this is an invitation to all of our delegates here, even though you may not be a member of that organization, to a recep-

tion this afternoon starting at 4 o'clock in the Delta Mezzanine A and B. We are inviting you all to attend. There's a lot of good refreshments. This is a special invitation to our chief executive officers who might be spending more time here today. Please show up at our reception starting at 4 o'clock. Thank you.

Mr. McCardell: I suspect that is the case, that we all could benefit from a little refreshment about now. Deepest thanks, safe travels. We stand adjourned.

[The Division III business session was adjourned at 3:30 p.m.]

98th Annual Convention

LEGISLATIVE PROPOSALS

SUBMITTED BY THE MEMBERSHIP

[Note: In the following proposals, those letters and words that appear in *italics* are to be deleted and those letters and words that appear in **bold face** are to be added. All page numbers listed refer to the corresponding pages in the 2003-04 NCAA Divisions II and III Manuals.]

TOPICAL GROUPINGS OF PROPOSED AMENDMENTS

98th ANNUAL CONVENTION

<i>Proposal Numbers</i>	<i>General Topic</i>
1 through 54	Division II Legislative Proposals
1 through 8	Consent Package
9 through 18	Deregulation Consent Package
19 through 33	Presidents Council Grouping
34	Amateurism
35 through 36	Awards and Benefits
37 through 38	Championships
39 through 40	Financial Aid
41 through 43	Membership
44 through 50	Playing and Practice Seasons
51 through 53	Recruiting
54	General
55 through 72	Division III Legislative Proposals
55 through 67	Presidents Council Grouping
68 through 72	General

DIVISION II LEGISLATIVE PROPOSALS

The NCAA Division II Presidents Council has determined that it will deal primarily with those national issues in Division II athletics that prompt widespread concern among Division II chief executive officers.

Legislative proposals developed by the Division II Management Council or by Division II committees reporting to it must be submitted to the Division II Presidents Council for review. They cannot be placed on the agenda for consideration at the Convention unless the Presidents Council agrees to sponsor them. This procedure was established to affirm presidential control of intercollegiate athletics in Division II.

The Division II Presidents Council has identified those proposals that it believes are of particular interest to Division II chief executive of-

ficers and has included them in the Presidents Council grouping. It should be noted, however, that inclusion of proposals in the Presidents Council grouping does not necessarily constitute a position by the Division II Presidents Council for or against a proposal. Those proposals with an asterisk before the proposal number have been identified by the Presidents Council as roll-call votes. Delegates should refer to each proposal's source line for information regarding the sponsor of each proposal.

[Note: Pursuant to Constitution 5.3.12, all amendments shall become effective not earlier than the first day of August following adoption at the NCAA Convention; however, if a voting delegate wishes to propose an immediate effective date, or to propose any other effective date prior to the first day of August, a two-thirds majority of all delegates present and eligible to vote on the amendment is required to approve the immediate or alternative effective date. Those proposals that receive the required vote to carry an immediate effective date and that are adopted, become effective upon adjournment of the Convention.]

DIVISION II LEGISLATIVE PROPOSALS

[Note: The Division II Student-Athlete Advisory Committee supported all legislation that was considered at this Convention. During debate, SAAC representatives addressed proposal Nos. 23, 27, 32, 33, 39 and 45.]

CONSENT PACKAGE

NO. 1 (NO. 2-1)	FORMS — STUDENT-ATHLETE HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT (HIPAA) AUTHORIZATION/BUCKLEY AMENDMENT CONSENT FORM — DISCLOSURE OF PROTECTED HEALTH INFORMATION
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Intent: To add the Student-Athlete Health Insurance Portability and Accountability Act (HIPAA) Authorization/Buckley Amendment Consent Form — Disclosure of Protected Health Information to the list of forms or statements to be administered to student-athletes annually by an institution.

- A. Constitution:** Amend 3.2.4 by adding new 3.2.4.7, pages 9-11, as follows:

[Division II]

“3.2.4 Conditions and Obligations of Membership.

[3.2.4.1 through 3.2.4.6 unchanged.]

“3.2.4.7 Student-Athlete Health Insurance Portability and Accountability Act (HIPAA) Authorization/Buck-

ley Amendment Consent Form — Disclosure of Protected Health Information. The active member institution shall administer annually, on a form prescribed by the Management Council, a statement for each student-athlete to voluntarily sign that provides information prescribed in Bylaws 14.1.5 and 30.12.

“3.2.4.7.1 Administrative Requirements. The statement shall be administered individually to each student-athlete by the athletics director or the athletics director’s designee before the student-athlete’s participation in intercollegiate athletics each academic year. The authorization/consent by the student-athlete is voluntary and is not required for the student-athlete to be eligible to participate. Any signed statement(s) shall be kept on file in the office of the athletics director. “

[3.2.4.7 through 3.2.4.12 renumbered as 3.2.4.8 through 3.2.4.13, unchanged.]

- B. Bylaws:** Amend 14.1 by adding new 14.1.5, pages 107-111, as follows:

[Division II]

“14.1 GENERAL ELIGIBILITY REQUIREMENTS.

[14.1.1 through 14.1.4 unchanged.]

“14.1.5 Student-Athlete Health Insurance Portability and Accountability Act (HIPAA) Authorization/Buckley Amendment Consent Form — Disclosure of Protected Health Information.

“14.1.5.1 Content and Purpose. Each academic year, a student-athlete may voluntarily sign a statement in a form prescribed by Management Council in which the student-athlete authorizes/consents to the institution’s physicians, athletics trainers and health care personnel to disclose the student-athlete’s injury/illness and participation information associated with the student-athlete’s training and participation in intercollegiate athletics to the NCAA and to its Injury Surveillance System (ISS), agents and employees for the purpose of conducting research into the reduction of athletics injuries. The authorization/consent by the student-athlete is voluntary and is not required for the student-athlete to be eligible to participate.

“14.1.5.2 Administration. The statement shall be administered individually to each student-athlete by the athletics director or the athletics di-

rector's designee before the student-athlete's participation in intercollegiate athletics each academic year. Details about the content, administration and disposition of the statement are set forth in Bylaw 30.12. Violations of this bylaw do not affect a student-athlete's eligibility; however, the violation shall be considered an institutional violation per Constitution 2.8.1."

[14.1.5 through 14.1.8 renumbered as 14.1.6 through 14.1.9, unchanged.]

- C. **Administrative:** Amend 30 by adding new 30.12, pages 287-296, as follows:

[Division II]

"30 Administrative Regulations.

[30.01 through 30.11 unchanged.]

"30.12 Student-Athlete Health Insurance Portability and Accountability Act (HIPAA) Authorization/Buckley Amendment Consent Form — Disclosure Of Protected Health Information. The following procedures shall be used in administering the Student-Athlete HIPAA Authorization/Buckley Amendment Consent Form — Disclosure of Protected Health Information required by Bylaw 14.1.5 (see also Constitution 3.2.4.7):

"(a) The authorization/consent form shall be administered individually to each student-athlete by the athletics director or the athletics director's designee before the student-athlete's participation in intercollegiate athletics each academic year.

"(b) Signing the authorization/consent shall be voluntary and is not required by the student-athlete's institution for medical treatment, payment for treatment, enrollment in a health plan or for any benefits (if applicable) and is not required for the student-athlete to be eligible to participate.

"(c) Any signed authorization/consent forms shall be kept on file by the athletics director.

"30.12.1 Effect of Violations. Violations of the procedures set forth in Bylaw 30.12 shall be considered an institutional violation per Constitution 2.8.1; however, the violation shall not affect the student-athlete's eligibility."

[30.12 through 30.14 renumbered as 30.13 through 30.15, unchanged.]

Source: NCAA Division II Presidents Council [Management Council (Committee on Competitive Safeguards and Medical Aspects of Sports)].

Effective Date: August 1, 2004

Rationale: The NCAA Injury Surveillance System (ISS), in existence since 1984, has been the primary resource for injury data for the Association. The Committee on Competitive Safeguards and Medical Aspects of Sports and the NCAA sports rules committees have used the information to support legislative and sport rules changes, equipment modification and other health and safety initiatives. The form, which is optional for student-athletes to complete, ensures NCAA compliance with federal regulations and allows member institutions to continue to participate in the ISS. Requiring institutions to administer the form with other compliance forms allows institutions to identify specific non-participants prior to the start of any intercollegiate activity. Recognizing new federal confidentiality guidelines and the importance of the ISS to the Association, NCAA general counsel has assisted the Committee on Competitive Safeguards and Medical Aspects of Sports in the creation of the form.

Action: Adopted.

NO. 2 (NO. 2-11) RECRUITING — BANNED DRUG LIST

Intent: To require an institution to provide the list of NCAA banned drugs and information about the risks of nutritional supplements to all incoming prospective student-athletes at the earliest practical time but in no case later than July 1 prior to the prospect's initial full-time enrollment; further, for a prospect whose recruitment is initiated after July 1, the institution must send the banned drug list at the earliest opportunity.

Bylaws: Amend 13.3, page 86, as follows:

[Division II]

"13.3 ADMISSIONS AND GRADUATION DATA AND BANNED DRUG LIST

[13.3.1 unchanged.]

"13.3.2 Banned Drug List and Information about Nutritional Supplements.

"13.3.2.1 Report Publication. The Association's national office annually shall publish the banned drug list specified in Bylaw 31.2.3.1 and shall update the list on its Web site.

"13.3.2.2 Report Distribution. Member institutions shall provide to all incoming prospects and to prospects' parents the NCAA banned drug list and information about nutritional supplements (See Bylaw 31.2.3.1). The information shall be provided at the earliest practical opportunity (e.g., after the institution's first arranged in-person encounter with the prospect) or upon re-

quest; however, in no event shall an institution provide the information later than July 1 before the prospect's initial enrollment at the institution. For a prospect whose recruitment is initiated after July 1, the institution must send the banned drug list and information about nutritional supplements at the earliest opportunity. Violations of this bylaw shall be considered institutional violations per Constitution 2.8.1; however, such violations shall not affect the prospective student-athlete's eligibility."

Source: NCAA Division II Presidents Council [Management Council].

Effective Date: Immediate, for any student-athletes initially enrolling in the certifying institution on or after August 1, 2004.

Rationale: The Committee on Competitive Safeguards and Medical Aspects of Sports has conducted appeals of positive drug tests involving freshman football players and transfer students who were using legal over-the-counter nutritional supplements containing NCAA banned substances and who claimed no prior knowledge of this risk. Because student-athletes tend to do all they can to stand out, the potential for unwitting illicit performance enhancement through the use of legal over-the-counter nutritional supplements increases with these uninformed prospective student-athletes. At the time of use during the summer, these prospective student-athletes have not yet been oriented by the institution's drug education program and have not signed the drug testing consent form. When the NCAA conducts drug testing in early fall, these student-athlete risk testing positive from substances still in their system from their summer use. Adoption of this recommendation would serve as early education and intervention with new student-athletes before they reach campus. The proposed effective date would require institutions to distribute the banned drug list to all prospective student-athletes and transfer student-athletes who are initially enrolling in their institution in the fall of 2004 and thereafter, in accordance with the proposed legislation.

Action: Adopted, effective immediately.

NO. 3 (NO. 2-14) RECRUITING — CAMPS AND CLINICS — STUDENT-ATHLETE EMPLOYMENT

Intent: To specify that a student-athlete who is employed in a sports camp or clinic must perform duties that are of a general supervisory nature in addition to coaching or officiating assignments, without limiting such coaching and officiating assignments to not more than one-half of the student-athlete's work time.

Bylaws: Amend 13.13.2.1.1, page 101, as follows:

[Division II]

“13.13.2.1.1 General Rule. A student-athlete who is employed in any sports camp or clinic must meet the following requirements:

“(a) The student-athlete must perform duties that are of a general supervisory character *and any in addition to any* coaching or officiating assignments *shall represent not more than one-half of the student-athlete’s work time.*”

[13.13.2.1.1-(b) and 13.13.2.1.1-(c) unchanged.]

Source: NCAA Division II Presidents Council [Management Council (Legislation Committee)].

Effective Date: Immediately.

Rationale: Current legislation stipulates that coaching and officiating assignments shall not represent more than one-half of the student-athlete’s work time. Consistent with the typical duties of a counselor at a camp or clinic, this proposal continues to require a student-athlete to perform supervisory duties in addition to coaching and officiating duties. Additionally, other requirements regarding a student-athlete’s employment at institutional camps or clinics, including compensation to the student-athlete and restrictions related to the student-athlete who only lectures or demonstrates, will remain in place to address any possible abuses. This proposal has an immediate effective date so as to effect camps or clinics occurring in the summer of 2004.

Action: Adopted, effective immediately.

NO. 4 (NO. 2-17) ELIGIBILITY — INITIAL-ELIGIBILITY — REQUIREMENTS APPLICABLE TO ENTERING FRESHMEN

Intent: To specify that a student-athlete shall meet the initial-eligibility requirements for a qualifier in effect at the time of the student-athlete’s initial full-time enrollment in a collegiate institution.

A. Bylaws: Amend 14.1.2.1, page 108, as follows:

[Division II]

“14.1.2.1 Initial-Eligibility Clearinghouse. An institution shall use an initial-eligibility clearinghouse approved by the Executive Committee to determine the validity of the information on which the initial eligibility of a student-athlete is based. *A Division II institution may certify the initial eligibility of a student-athlete who graduated from high school before the spring term of 1988.*”

B. Bylaws: Amend 14.3.1.4, page 119, as follows:

[Division II]

“14.3.1.4 Requirement Applicable to Entering Freshman. In the application of the freshman academic requirements set forth in this section, a student-athlete shall meet either the initial-eligibility requirements for a qualifier in effect at the time of the student’s graduation from high school or the initial-eligibility requirements in effect at the time of the student-athlete’s initial enrollment in a collegiate institution.”

[14.3.1.5 through 14.3.1.6 renumbered as 14.3.1.4 through 14.3.1.5, unchanged.]

Source: NCAA Division II Presidents Council [Management Council (Academic Requirements Committee)].

Effective Date: August 1, 2004

Rationale: Current legislation permits a student-athlete to meet either the initial-eligibility requirements in effect at the time of the student-athlete’s graduation from high school or in effect at the time of the student-athlete’s initial full-time enrollment in a collegiate institution. Because the proposed changes to the initial-eligibility core-course requirements were approved at the 2003 Convention, this will require the NCAA Initial-Eligibility Clearinghouse to operate a dual system for certifying and reporting students’ status depending on whether the student-athlete would satisfy 13 or 14 core-course units. This dual system is more costly to operate and more confusing to report out to students, parents, high schools and member institutions. This proposal will bring simplicity to the clearinghouse operations and to the understanding of the initial-eligibility requirements by prospective student-athletes, high-school guidance counselors and member institutions. Further, this proposal does not eliminate the opportunity for a member institution to submit an initial-eligibility waiver on behalf of a prospective student-athlete if the prospect is unable to meet the initial-eligibility requirements at the time of initial full-time collegiate enrollment.

Action: Adopted.

**NO. 5 (NO. 2-16) ELIGIBILITY — SEASONS OF
COMPETITION — NONCHAMPIONSHIP
SEGMENT — MEN’S WATER POLO**

Intent: In men’s water polo, to permit a student-athlete to compete in an institution’s nonchampionship segment without using a season of competition, provided the student-athlete was academically eligible during the championship segment.

Bylaws: Amend 14.2.4.1.2, page 113, as follows:

[Division II]

*“14.2.4.1.2 Exception — Women’s Volleyball, Men’s Soccer, Women’s Soccer, Field Hockey, **Men’s Water Polo**. A student-*

athlete may engage in outside competition during the segment of the playing season that does not conclude with the NCAA championship without using a season of competition, provided the student-athlete was academically eligible during the segment that concludes with the NCAA Championship.”

Source: NCAA Division II Presidents Council [Management Council (Legislation Committee)].

Effective Date: Immediately.

Rationale: This proposal simply adds the sport of men’s water polo to the season-of-competition exception currently available in the sports of women’s volleyball, men’s and women’s soccer, and field hockey that was created with the adoption of 2002 Proposal 34. Men’s water polo has the same nonchampionship segment as the sports, which currently have this exception. This proposal creates equal treatment for sports with similar playing seasons. This proposal has an immediate effective date so as to effect the nonchampionship segment of the 2003-04 academic year.

Action: Adopted, effective immediately.

**NO. 6 (NO. 2-21) ELIGIBILITY — INELIGIBILITY —
PENALTY FOR INELIGIBLE
PARTICIPATION — NCAA
CHAMPIONSHIPS**

Intent: To eliminate legislation related to penalties for ineligible participation in NCAA championships, which states that an ineligible student-athlete who participates in an NCAA championship forfeits eligibility for all NCAA championships for one season.

Bylaws: Amend 14.11.4.2, pages 138-139, as follows:

[Division II]

“14.11.4.2 Penalty for Ineligible Participation in NCAA Championship. An ineligible student-athlete who participates in an NCAA championship forfeits eligibility for all NCAA championships for one season. The one season shall be the season immediately after disclosure of the ineligible participation.”

Source: NCAA Division II Presidents Council [Management Council (Student-Athlete Reinstatement Committee)].

Effective Date: August 1, 2004

Rationale: Bylaw 14.11.4.2 indicates that if a student-athlete participates in an NCAA championship while ineligible, the student-athlete forfeits eligibility for all NCAA championships for one season. In the case of any violation requiring that a student-athlete be withheld from competition as a condition for reinstatement, the Student-Athlete Reinstatement Committee applies the condition to the next contest(s). If the student-athlete’s ineligible competition occurred during an

NCAA championship, the student-athlete is required to be withheld from the NCAA championship. The committee does not distinguish between various types of competition. The staff and committee have interpreted Bylaw 14.11.4.2 as a possible condition, which the committee can and does deviate from through the student-athlete reinstatement process. Given the fact that the bylaw is not followed in practice due to the committee's authority in assessing appropriate reinstatement conditions, this bylaw should be deleted to avoid any potential confusion.

Action: Adopted.

**NO. 7 (NO. 2-43) PLAYING AND PRACTICE SEASONS —
PRESEASON PRACTICE — SPORTS
MEDICINE STAFF — AUTHORITY**

Intent: To specify that preseason activities should receive the same institutional health and safety oversight as regular and postseason activities.

Bylaws: Amend 17.01 by adding new 17.01.2, page 177, as follows:

[Division II]

“17.01 GENERAL PRINCIPLES

“17.01.1 Institutional Limitations. A member institution shall limit its organized practice activities, the length of its playing seasons and the number of its regular-season contests and/or dates of competition in all sports, as well as the extent of its participation in noncollegiate-sponsored athletics activities, to minimize interference with the academic programs of its student-athletes (see Figures 17-1, 17-2, 17-3).

“17.01.2 Health and Safety Oversight. Preseason practice activities should receive the same institutional health and safety oversight as regular and postseason activities, consistent with the NCAA health and safety principle of student-athlete welfare and the NCAA Sports Medicine Handbook guideline. In this regard, a member of the institution's sports medicine staff has the unchallengeable authority to cancel or modify the workout for health and safety reasons.”

Source: NCAA Division II Presidents Council [Management Council (Committee on Competitive Safeguards and Medical Aspects of Sports)].

Effective Date: August 1, 2004

Rationale: This proposal addresses concerns raised by the Division II Management Council and Presidents Council regarding the oversight of preseason activities for football. The councils believe that oversight in the preseason should reflect institutional

responsibility that is consistent with medical coverage of all sports activities during the regular and post-season. The Management Council and Presidents Council felt that this proposed concept should be applicable to all sports (not just football). This proposal is not suggesting that the practices and procedures an institution employs to provide care to its student-athletes be consistent among all sports (as each sport has its own nuances) but that the level of care from sport to sport should be consistent. It is important to note, the unchallengeable authority of the sports medicine staff to cancel or modify the workout for health and safety reasons would not be a new requirement. Currently, this requirement exists as part of the Sports Medicine Handbook.

Action: Adopted.

**NO. 8 (NO. 2-45) ELIGIBILITY FOR CHAMPIONSHIPS —
STUDENT-ATHLETE ELIGIBILITY —
INELIGIBILITY FOR USE OF BANNED
DRUGS**

Intent: To specify that testing positive twice for anything other than street drugs will result in the loss of lifetime eligibility, while a combination of two positive tests involving street drugs (e.g., heroin, marijuana), in whatever order, will result in the loss of an additional year of eligibility.

A. Bylaws: Amend 18.4.1.5, pages 248-249, as follows:

[Division II]

“18.4.1.5 Ineligibility for Use of Banned Drugs. A student-athlete who is found to have used a substance on the list of banned drugs, as set forth in Bylaw 31.2.3.1, shall be declared ineligible for further participation in postseason and regular-season competition in accordance with the ineligibility provisions in Bylaw 18.4.1.5.1. The certifying institution may appeal to the Student-Athlete Reinstatement Committee for restoration of the student-athlete’s eligibility, if the institution concludes that circumstances warrant restoration.

“18.4.1.5.1 Duration of Ineligibility. A student-athlete who tests positive (in accordance with the testing methods authorized by the Executive Committee) shall be charged with the loss of a minimum of one season of competition in all sports, if the season of competition has not yet begun for that student-athlete or a minimum of the equivalent of one full season of competition in all sports, if the student-athlete tests positive during his or her season of competition (i.e., the remainder of contests in the current season and contests in the subsequent season up to the period of time in which the student-athlete was declared ineligible during the previous year). The student-athlete shall remain ineli-

gible for all regular-season and postseason competition during the time period ending one calendar year (i.e., 365 days) after the student-athlete's positive drug test and until the student-athlete retests negative (in accordance with the testing methods authorized by the Executive Committee) and the student-athlete's eligibility is restored by the Student-Athlete Reinstatement Committee. If the student-athlete immediately transfers to a non-NCAA institution while ineligible and competes in collegiate competition within the 365-day period at a non-NCAA institution, the student-athlete will be ineligible for all NCAA regular season and postseason competition until the student-athlete does not compete in collegiate competition for a 365-day period. Furthermore, the student-athlete must retest negative (in accordance with the testing methods authorized by the Executive Committee) and the student-athlete's eligibility must be restored by the Student-Athlete Reinstatement Committee. If the student-athlete transfers to another NCAA institution while ineligible, the institution from which the student-athlete transferred must notify the institution that the student-athlete is ineligible. If the student-athlete, **who tested positive for any drug other than a "street drug" as defined in Bylaw 31.2.3.1**, tests positive a second time for the use of any drug, other than a "street drug" as defined in Bylaw 31.2.3.1, he or she shall lose all remaining regular-season and postseason eligibility in all sports. If the student-athlete tests positive for the use of a "street drug" after being restored to eligibility, he or she shall be charged with the loss of a minimum of one additional season of competition in all sports and also shall remain ineligible for regular-season and postseason competition at least through the next calendar year. In addition, a student-athlete who has previously tested positive for performance-enhancing drugs as a result of a drug test administered by any other athletics organization and subsequently tests positive (in accordance with the testing methods authorized by the Executive Committee) shall be subject to these ineligibility provisions."

[18.4.1.5.2 and 18.4.1.5.3 unchanged.]

B. Administrative: Amend 31.2.3, pages 304-306, as follows:

[Division II]

"31.2.3 Ineligibility for Use of Banned Drugs. Bylaw 18.4.1.5 provides that a student-athlete who is found to have used a substance on the list of banned drugs shall be declared ineligible for further participation in postseason and regular-season competition during the time period ending one calendar year after the student-athlete's positive drug test. The student-athlete shall be charged with the loss of a minimum of one season of competition in all sports if the season of competition has not yet

begun or a minimum of the equivalent of one full season of competition in all sports if the student-athlete tests positive during his or her season of competition (i.e., the remainder of contests in the current season and contests in the next season up to the period of time in which the student-athlete was declared ineligible during the previous year). The student-athlete shall remain ineligible until the student-athlete retests negative (in accordance with the testing methods authorized by the Executive Committee) and the student-athlete's eligibility is restored by the Student-Athlete Reinstatement Committee. If the student-athlete, **who tested positive for any drug other than a "street drug" as defined in Bylaw 31.2.3.1**, tests positive a second time for the use of any drug, other than a "street drug" as defined *below* **in Bylaw 31.2.3.1**, he or she shall lose all remaining regular-season and postseason eligibility in all sports. If the student-athlete tests positive for the use of a "street drug" after being restored to eligibility, he or she shall lose a minimum of one additional season of competition in all sports and also shall remain ineligible for regular-season and postseason competition at least through the next calendar year. Bylaw 18.4.1.5.2 also provides that the Executive Committee shall adopt a list of banned drugs and authorize methods for drug testing of student-athletes on a year-round basis. In addition, as stated in 18.4.1.5.1, a student-athlete who previously tested positive for performance-enhancing drugs as a result of tests administered by any other athletics organization and subsequently tests positive (in accordance with the testing methods authorized by the Executive Committee) shall be subject to these ineligibility provisions. The banned-drug list is subject to change. The institution and student-athletes shall be held accountable for all banned-drug classes set forth in 31.2.3.1 as well as the list located on the NCAA Web site (i.e., www.ncaa.org). In addition, a complete current listing of banned drugs may be obtained from the NCAA national office."

[31.2.3.1 through 31.2.3.5 unchanged.]

Source: NCAA Division II Presidents Council [Management Council (Committee on Competitive Safeguards and Medical Aspects of Sports)].

Effective Date: Immediately.

Rationale: The current interpretation of the ineligibility for use of banned drugs, provides a lifetime loss of eligibility if a student-athlete tests positive twice with a street drug first and another category of drugs second, and an additional loss of one year of eligibility if a student-athlete tests positive twice with any other category of banned drugs first and a street drug second. The Committee on Competitive Safeguards and Medical Aspects of Sports believes this situation is not equitable and that new language would provide a more equitable sanction. In order to correct this inadequacy in a timely manner, the

Management Council has proposed an immediate effective date.

Action: Adopted, effective immediately.

DEREGULATION CONSENT PACKAGE

NO. 9 (NO. 2-5) AMATEURISM — EMPLOYMENT- CRITERIA GOVERNING COMPENSATION TO STUDENT- ATHLETES

Intent: To eliminate current regulations regarding a student-athlete's employment on a commission basis; further, to specify that an employer may not use the athletic's reputation of a student-athlete employee to promote the sale of the employer's product or services.

Bylaws: Amend 12.4.1, page 68, as follows:

[Division II]

"12.4.1 Criteria Governing Compensation to Student-Athletes. All compensation received by a student-athlete must be consistent with the limitations on financial aid set forth in Bylaw 15. Compensation may be paid to a student-athlete:

"(a) Only for work actually performed; *and*

"(b) At a rate commensurate with the going rate in that locality for similar services.; **and**

"(c) **An employer shall not use the athletics reputation of a student-athlete employee to promote the sale of the employer's product or services.**

"12.4.1.1 Athletics Reputation. Such compensation may not include any remuneration for value or utility that the student-athlete may have for the employer because of the publicity, reputation, fame or personal following that he or she has obtained because of athletics ability

"12.4.1.2 Employment on a Commission Basis. An employer, other than the student-athlete's institution, may employ a student-athlete on a commission basis only if:

"(a) The cost of any preliminary training program for such employees is borne by the student-athlete (i.e., such costs may not be paid by a member institution or a representative of its athletics interests);

"(b) The personnel so employed consist of both student-athletes and nonathletes;

"(c) The employment of student-athletes does not result in the company's use of athletics reputations of such individuals to promote the sale of the company's products; and

"(d) The company is able to document that employees who are nonathletes receive earnings from sales commissions at a

rate generally equivalent to the commission rate realized by the student-athletes employed by the company.”

Source: NCAA Division II Presidents Council [Management Council (Legislation Committee)].

Effective Date: Immediately.

Rationale: The current regulations regarding student-athlete employment attempt to legislate a separation between a student-athlete's reputation from his or her role as an employee. The Division II membership, through the Legislation Committee, has voiced its concern that in practice it is impossible to enforce such a separation without denying a student-athlete employment opportunities. This proposal will achieve the goal of preventing an employer from exploiting the student-athlete employee's athletics reputation for its own gain, but does so without restricting his or her ability to find work. Further, the proposal deregulates the amateurism bylaw by removing repetitive legislation, but continues to require that compensation paid to a student-athlete must be for work actually performed and at a rate commensurate with going rate in that locale for same or similar services. This proposal has an immediate effective date so as to allow institutions the benefit of applying a simpler rule as soon as possible.

Action: Adopted, effective immediately.

NO. 10 (NO. 2-6) AMATEURISM — PROMOTIONAL ACTIVITIES — 100-MILE RADIUS

Intent: To permit a student-athlete to receive actual and necessary expenses to participate in a permissible promotional activity, regardless of the location of the activity.

Bylaws: Amend 12.5.1.1, pages 69-70, as follows:

[Division II]

“12.5.1.1 Institutional, Charitable, Educational or Nonprofit Promotions. A member institution or recognized entity thereof (e.g., fraternity, sorority or student government organization), a member conference or a noninstitutional charitable, educational or nonprofit agency may use a student-athlete's name, picture or appearance to support its charitable or educational activities or to support activities considered incidental to the student-athlete's participation in intercollegiate athletics, provided the following conditions are met:

[12.5.1.1-(a) through 12.5.1.1-(e) unchanged.]

“(f) The student-athlete may accept *legitimate and normal* **actual and necessary** expenses from the member institution, member conference or the charitable, educational or nonprofit agency related to participation in such activity, *provided it occurs within the state or, if outside the state, within a 100-mile radius of the member institution's campus;*

[12.5.1.1-(g) through 12.5.1.1-(i) unchanged.]

“12.5.1.1.1 Exception — Expenses beyond 100 Miles. A student-athlete may receive legitimate and normal expenses to participate in promotional activities related to a competitive event regardless of the distance from the member institution’s campus, provided the following conditions are satisfied:

“(a) The student-athlete has been selected to participate in the competition and such competition is included in Bylaw 14.7.5.1 (e.g., Olympic Games, Pan American Games, World Championships, World Cup and national team tryouts and competition);

“(b) The promotional activity occurs no more than one calendar year before the start of the competition; and

“(c) All conditions set forth in Bylaw 12.5.1.1 [other than Bylaw 12.5.1.1-(e)] are satisfied.”

[12.5.1.1.2 through 12.5.1.1.4 renumbered as 12.5.1.1.1 through 12.5.1.1.3, unchanged.]

Source: NCAA Division II Presidents Council [Management Council (Legislation Committee)].

Effective Date: August 1, 2004

Rationale: The Legislation Committee believes the mileage restrictions are arbitrary and unnecessary and should be deregulated. As a result of the removal of the mileage restriction, the exceptions to this restriction can also be eliminated. In addition, the committee feels the decision to provide expenses to student-athletes for permissible promotional activities set forth in Bylaw 12.5 should be left to the discretion of the institution. Therefore, this proposed change is consistent with Division II’s previous deregulation efforts.

Action: Adopted.

**NO. 11 (NO. 2-8) AMATEURISM — PROMOTIONAL
ACTIVITIES — INSTITUTIONALLY
SPONSORED AND PRIVATELY OWNED
CAMPS**

Intent: To specify that a member institution’s camp may use the name or picture of any student-athlete and to further specify that a privately owned camp may only use the name or picture of any student-athlete employed as a counselor at the camp to publicize or promote the camp, including the use of the student-athlete’s name or picture in camp brochures or other advertising, regardless of when the camp occurs.

Bylaws: Amend 12.5.1.7, page 72, as follows:

[Division II]

“12.5.1.7 Institutionally Sponsored and Privately Owned Summer Camps. A member institution’s summer camp and a privately owned summer camp may use the name or picture of any

student-athlete employed as a counselor to publicize or promote the camp, including the use of the student-athlete's name or picture in camp brochures or other advertising.

“(a) Institutionally Sponsored Camps. A member institution’s camp may use the name or picture of any student-athlete employed as a counselor or any student-athlete from the member institution to publicize or promote the camp, including the use of the student-athlete’s name or picture in camp brochures or other advertising.”

“(b) Privately Owned Camps. A privately owned camp may use the name or picture of any student-athlete employed as a counselor to publicize or promote the camp, including the use of the student-athlete’s name or picture in camp brochures or other advertising.”

Source: NCAA Division II Presidents Council [Management Council (Legislation Committee)].

Effective Date: Immediately.

Rationale: Presently, a member institution’s camp or a privately owned camp is permitted to use the name or picture of any student-athlete employed as a counselor at the camp to promote the summer camp. It should also be permissible for a member institution’s camp or a privately owned camp to use the name or picture of any student-athlete employed as a camp counselor regardless of when the camp occurs (e.g. summer, academic year). This proposal will eliminate the distinction between summer camps and camps that occur during the academic year. Further, this proposal will permit the name or picture of any student-athlete from the member institution to be used in institutional camp brochures or other advertising for the institutional camp regardless of whether that student-athlete is a counselor at the camp. The use of the name or picture of any student-athlete at the member institution would only apply to institutional camps. A privately owned camp may only use the name or picture of a student-athlete who is employed as a counselor at its camp. This proposal has an immediate effective date so as to allow all camps conducted subsequent to the Convention to benefit from the proposed change.

Action: Adopted, effective immediately.

**NO. 12 (NO. 2-10) AMATEURISM — FINANCIAL
DONATIONS FROM OUTSIDE
ORGANIZATIONS — PROFESSIONAL
SPORTS MEMORABILIA**

Intent: To permit an institution to receive sports memorabilia from a professional sports organization to be used in institutional (or departmental) fund-raising activities.

Bylaws: Amend 12.6.1.4, page 74, as follows:

[Division II]

“12.6.1.4 To Institution, Permissible.

“(a) **Funds.** A member institution may receive funds from a professional sports organization provided:

“(a 1) The money is placed in the institution’s general fund and used for purposes other than athletics; or

“(b 2) The money is placed in the institution’s general scholarship fund and commingled with funds for the assistance of all students generally.

“(b) **Professional Sports Memorabilia.** An institution may receive sports memorabilia from a professional sports organization to be used in institutional (or departmental) fund-raising activities.”

Source: NCAA Division II Presidents Council [Management Council (Legislation Committee)].

Effective Date: Immediately.

Rationale: Permitting institutions to receive sports memorabilia donated from a professional sports organization will allow institutions flexibility regarding ways to generate funds. The memorabilia may be used in institutional or departmental (e.g., athletics department) fund-raising activities. This proposal has an immediate effective date so as to permit institutions to receive sports memorabilia from a professional sports organization to be used in their spring fundraising efforts.

Action: Adopted, effective immediately.

NO. 13 (NO. 2-24) AWARDS AND BENEFITS — APPLICATION OF AWARDS LEGISLATION

Intent: To remove the restrictions on the types of awards prospective student-athletes may receive prior to enrollment.

Bylaws: Amend 16.1.1, page 161, as follows:

[Division II]

“16.1.1 Application of Awards Legislation.

“16.1.1.1 Before Enrollment. *Awards received by an individual before enrollment shall conform to the rules of the amateur sports organization that governs the competition and shall not include cash. Such awards may include gift certificates and items that are not personalized, provided the awards are permitted by the rules of the amateur sports organization.* **Individuals may receive any award(s) prior to initial full-time collegiate enrollment. (See Bylaw 14.2.4.2 regarding effects on eligibility.)**”

Source: NCAA Division II Presidents Council [Management Council (Legislation Committee)].

Effective Date: Immediately.

Rationale: Consistent with the Division II philosophy for deregulating the amateurism legislation, this proposal permits a prospective student-athlete to receive any award for participation in athletics events prior to enrollment. Although this proposed amendment would make it permissible to receive an award prior to initial full-time collegiate enrollment, it is important to note that the receipt of such an award (depending on the timing of the activities performed to earn such an award) may jeopardize the student-athlete's eligibility/seasons-of-competition per Bylaw 14.2.4.2.

Action: Adopted, effective immediately.

**NO. 14 (NO. 2-25) AWARDS — TYPES OF AWARDS,
AWARDING AGENCIES, MAXIMUM
VALUE AND NUMBERS OF AWARDS**

Intent: To simplify the rules and regulations regarding the types and value of awards that may be provided to student-athletes by setting forth the rules and regulations in a format of charts appended to the Bylaws.

Bylaws: Amend 16.1.3, pages 162-164, as follows:

[Division II]

“16.1.3 Types of Awards, Awarding Agencies, Maximum Value and Numbers of Awards. Athletics awards given to individual student-athletes shall be limited to those approved or administered by the member institution, its conference or an approved agency as specified in the following subsections and shall be limited in value and number as specified in this section. Each of the following subsections is independent of the others so that it is permissible for an individual student-athlete to receive the awards described in all subsections.

“16.1.3.1 *Annual Participation Awards.* Awards for **participation in recognition of** intercollegiate athletics **may be presented each year, limited in value and number as specified in Figure 16-1 participation (e.g., “letter awards”)** may be presented each year by a member institution. In addition, the institution may present senior awards and awards in recognition of special attainments or contributions to a team's competitive season (e.g., scholar-athlete, most improved player, most minutes played). **Awards for participation in special events may be provided only to student-athletes eligible to participate in the competition.**

“16.1.3.1.1 *Underclassman Awards.* The total value of a single participation award to a nonsenior shall not exceed \$150 in each sport in which the student-athlete participates. Multiple awards may be presented only if

the total value of all participation awards received in a sport during a particular academic year by an individual student-athlete who is not a senior does not exceed \$150.

“16.1.3.1.2 Senior Awards. Multiple awards may be presented only if the total value of all participation awards received during a particular academic year by an individual senior student-athlete does not exceed \$300 in each sport in which the student-athlete participates.

“16.1.3.1.3 Additional Awards. It is permissible for members to provide additional awards in recognition of special attainments or contributions to a team’s competitive season (e.g., scholar-athlete, most improved player, most minutes played), with the value of each such additional award limited to \$150.

“16.1.3.1.4 Most-Valuable-Player Awards — Season. A student-athlete may receive one or more awards for being selected as the most valuable player on a team for the season, provided such award are approved by the institution and conference, if any. (See Bylaw 16.1.4.2.3 for special-event-related most-valuable-player awards.)

*“16.1.3.2 NCAA Championships, Regional or National Awards and Special Events **Awards for Winning Conference and National Championships.** Awards for participation in special events (such as postseason football games, NCAA championships and other established meets and tournaments, all-star games, featured individual competition) and established regional or national recognition awards (e.g., Wade Trophy, Heisman Trophy) may be presented only to student-athletes who are eligible to participate in the event and may be presented only by the management of such an event or awards program or by an institution that has had or will have a team or individual participate in that event **winning an individual or team conference or national championship** may be presented each year, limited in value and number as specified in Figure 16-1. Awards for winning a conference or national championship in a team sport may be provided only to student-athletes who were eligible to participate in the championship event. The total value of any single award received for a conference or national championship may not exceed \$300, and each permissible awarding agency is subject to a separate \$300 limit per award. Each permissible awarding agency may provide only a single award for each championship to each student-athlete. Separate awards may be presented to both the regular-season conference champion and the postseason conference champion (with a separate \$300 limitation), but if the same institution wins both the regular-season and postseason confer-*

ence championship, the combined value of both awards shall not exceed \$300.

“16.1.3.2.1 Number and Value of Awards. The total value of any single award to any one student-athlete for a special event may not exceed \$300, except awards presented by the Association to student-athletes for participation in NCAA championship events per Bylaw 16.1.4.2.2 and for most-valuable-player awards per Bylaw 16.1.4.2.3. Multiple awards may be presented only by the institution and the management of the event, if the total value of all awards presented for participation in the meet (e.g., a multievent winner in a gymnastics or track and field meet) or in honor of the student-athlete’s achievement does not exceed \$300, except for bowl-game and all-star game awards per Bylaw 16.1.4.2.4.

“16.1.3.2.1.1 Exception — Established National Award. Trophies signifying an established national award may be received by a student-athlete, regardless of the value of the trophy.

“16.1.3.2.2 NCAA Championships Participation. Awards presented by the Association to student-athletes for participation in any NCAA championship event are not subject to any limitation on the value of the award. Additional awards presented by an institution to its student-athletes for participation in an NCAA championship event are permitted, provided the total of any and all awards from the institution does not exceed \$300.

“16.1.3.2.3 Most-Valuable-Player Awards — Special Event. Most-valuable-player awards may be presented in special events, if the recipient is selected by a recognized organization approved by a member institution or conference. Each award must be approved by the institution (or conference) and may not exceed \$300 in value. The awarding institution, conference or other organization may provide only one award for each event to each student-athlete.

“16.1.3.2.4 Bowl-Game or All-Star Game Awards. Awards presented to student-athletes from the sponsoring agency of a certified postseason bowl or all-star game shall not exceed \$300 in value. The value of additional awards presented by an institution to its student-athletes for bowl-game or all-star-game participation shall be subject to a separate \$300 limitation.

“16.1.3.3 National Championships Special Achievement Awards. Awards may be presented by a member institution and conference (or an organization approved by either) in recognition of national championships to those student-athletes eligible to participate. The total value of any single

award received for a national championship may not exceed \$300, and each permissible awarding agency is subject to a separate \$300 limit per award. The awarding institution and conference (or an organization approved by either) may provide only one award for each championship to each student-athlete **provided each year to individual student-athletes and teams to recognize special achievements, honors and distinctions, limited in value and number as specified in Figure 16-1.**

“16.1.3.3.1 National Championship Not Conducted by NCAA. In those sports or classification divisions in which the Association does not conduct championships, national-championship awards (the total value of each not to exceed \$300) may be presented to members of the team designated as “national champion” by a national wire-service poll or the national coaches association in that sport. Otherwise, only teams winning an NCAA or NAIA national championship may be presented such awards by the institution.

“16.1.3.4 Conference Championship. Awards may be presented by a member institution and by a member conference (or an organization approved by either) in recognition of conference championships to student-athletes eligible to participate. The total value of any single award received for a conference championship may not exceed \$300, and each permissible awarding agency is subject to a separate \$300 limit per award. The awarding institution and conference (or an organization approved by either) may provide only one award for each championship to each student-athlete.

“16.1.3.4.1 Regular-Season Conference Champion vs Postseason Conference Champion. Separate awards may be presented to both the regular-season conference champion and the postseason conference champion, with a separate \$300 limitation; however, if the same institution wins both the regular-season and postseason conference championship, the combined value of both awards shall not exceed \$300.

“16.1.3.5 Specialized Performance in Single Contest or during Limited-Time Period. Institutions may not present individual awards to student-athletes for specialized performances in particular contests or events or during a limited time period (e.g., “player of the game” or “player of the week”). However, a conference or an organization, such as a business firm or other outside agency, may recognize a student-athlete’s outstanding performance in a particular contest or during a particular time period by presenting a certificate, plaque or medal valued at less than \$75. It is not permissible for such a conference or organization to provide any other tangible item or award.

“16.1.3.6 Hometown Award. It is permissible for a hometown group (other than the institution’s athletics booster club) to provide an award (e.g., certificate, medal or plaque) to a student-athlete for outstanding accomplishments in intercollegiate athletics, provided the value of such an award does not exceed \$75.”

[16.1.3.7 renumbered as 16.1.3.5, unchanged.]

Figure 16-1:

PARTICIPATION AWARDS				
Type of Award	Maximum Value of Award	Number of times Award may be received	Permissible Awarding Agencies	Maximum number of permissible Awarding Agencies
Annual Participation — Underclassman	\$150	Once per year per sport	Institution	1
Annual Participation — Senior	\$300	Once per year per sport	Institution	1
Special Event Participation				
• Participation in postseason conference championship contest or tournament	\$300*	Once per event	• Institution • Management of event (may include conference office)	2
• Participation in postseason NCAA championship contest or tournament	Institution — \$300 NCAA — No limit	Once per event	• Institution • NCAA	2
• Participation in all-star game or postseason bowl	\$300**	Once per event	• Institution • Management of event	2
• Participation in other established meets, tournaments and featured individual competition	\$300*	Once per event	• Institution • Management of event	2

* The combined value of all awards received for participation in this type of event from the institution and the management of the event may not exceed \$300.

** Each permissible awarding agency is subject to a separate \$300 limit per award.

Figure 16-2:

CHAMPIONSHIP AWARDS

Type of Award	Maximum Value of Award	Number of times Award may be received	Permissible Awarding Agencies	Maximum number of permissible Awarding Agencies
National championship conducted by NCAA	\$300*	Once per championship	• Institution** • Conference**	2
National championship not conducted by NCAA***	\$300*	Once per championship	• Institution** • Conference**	2
Conference championship — regular season	\$300*#	Once per championship	• Institution** • Conference**	2
Conference championship — post-season contest or tournament	\$300*#	Once per championship	• Institution** • Conference**	2

* Each permissible awarding agency is subject to a separate \$300 limit per award.

*** Award may be provided by another organization recognized by the institution or conference to act in its place.

**** Applies only to sports or classification divisions in which the NCAA does not conduct championships. Teams must be designated as a “national champion” by a national wire-service poll or the national coaches association in that sport.

The combined value of both awards shall not exceed \$300 if same institution wins conference regular season and postseason championships.

Figure 16-3:

SPECIAL ACHIEVEMENT AWARDS

Type of Award	Maximum Value of Award	Number of times Award may be	Permissible Awarding Agencies	Maximum number of permissible
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		received		Awarding Agencies
Special attainments or contribution to team's season (e.g., scholar-athlete, most improved player, most minutes played, most valuable player)	\$150	Once per category of award per year	Institution	1
Most valuable player — special event*	\$300**	Once per event	<ul style="list-style-type: none"> • Institution • Conference • Organization approved by institution or conference- 	Unlimited
Most valuable player — bowl game or all-star contest	\$300	Once per event	Sponsoring entity of all-star contest or certified post-season bowl	1
Established regional/ national recognition awards (e.g., Wade Trophy, Heisman Trophy)	\$300	Once per year per award	Management of award program	1
Trophy recognizing established national award	Unlimited	Once per year	Management of award program	1
Specialized performance in single contest or during limited time period (e.g., player of the game, player of the week)	\$75 (certificate, medal or plaque only)	Unlimited	<ul style="list-style-type: none"> • Conference • Outside organization (e.g., local business) 	Unlimited
Hometown award	\$75	Unlimited	Group (other than institution's booster club) located in the student-athlete's home town	Unlimited

* The award recipient must be selected by a recognized organization approved by a member institution or conference.

*** Each permissible awarding agency is subject to a separate \$300 limit per award. Each awarding agency may provide only a single award for each event to each student-athlete.

Source: NCAA Division II Presidents Council [Management Council (Legislation Committee)].

Effective Date: August 1, 2004

Rationale: Members of the NCAA Division II Legislation Committee believe this proposal is consistent with Division II deregulation efforts. The current rules related to awards, award limits and permissible awarding agencies are lengthy, cumbersome and difficult to apply. The legislation should be simplified by separating the permissible awards into three distinct categories of awards (i.e., participation awards, awards for winning a conference or national championship, special achievement). Further, the restrictions of the permissible awarding agencies, as well as the limitations on the value and number of permissible awards, would be better understood if they are set forth in the format of charts appended to the bylaw. The chart would serve as the legislation for this particular subject matter.

Action: Adopted.

**NO. 15 (NO. 2-27) AWARDS AND BENEFITS — ACADEMIC
SUPPORT AND MEDICAL EXPENSES —
COUNSELING EXPENSES**

Intent: To permit an institution to finance any type of counseling service for a student-athlete and to include that benefit in the list of permissible medical expenses.

A. Bylaws: Amend 16.3.1, page 165, as follows:

[Division II]

“16.3.1 Permissible. Academic and other support services that may be financed by an institution are:

[16.3.1-(a) unchanged.]

“(b) *Drug-rehabilitation program expenses;*

“(c) *Counseling expenses related to the treatment of eating disorders;*”

[16.3.1-(d) through 16.3.1-(j) relettered as 16.3.1-(b) through 16.3.1-(h), unchanged.]

B. Bylaws: Amend 16.4.1, pages 166-167, as follows:

[Division II]

“16.4.1 Permissible. Identified medical expense benefits incidental to a student’s participation in intercollegiate athletics that may be financed by the institution are:

[16.4.1-(a) and 16.4.1-(b) unchanged.]

“(c) *Drug-rehabilitation expenses;*

“(d c) Counseling expenses **of any type, including, but not limited to, those** related to **drug rehabilitation and** the treatment of eating disorders;”

[16.4.1-(e) through 16.4.1-(l) relettered as 16.4.1-(d) through

16.4.1-(k), unchanged.]

Source: NCAA Division II Presidents Council [Management Council (Legislation Committee)].

Effective Date: August 1, 2004

Rationale: The Legislation Committee believes it should be at the institution's discretion to determine the types of counseling services provided by an institution to its student-athletes. In addition, it is repetitive to place the benefit of counseling services on the permissible academic and other support services list and on the permissible medical expenses list.

Action: Adopted.

**NO. 16 (NO. 2-30) AWARDS AND BENEFITS — EXPENSES
FOR STUDENT-ATHLETE'S FRIENDS
AND RELATIVES — PERMISSIBLE
EXPENSES — REASONABLE
REFRESHMENTS**

Intent: To permit an institution to provide student-athletes or parents (or legal guardians) of student-athletes reasonable refreshments on an occasional basis.

A. Bylaws: Amend 16.6.1.6, page 168, as follows:

[Division II]

"16.6.1.6 Reasonable Refreshments *in Conjunction with Educational Events*. *Once per year, a*~~An~~ institution may provide reasonable refreshments (**e.g. soft drinks, snacks**) *at educational sessions (e.g., regarding agents, drugs) conducted for student-athletes' on an occasional basis to the parents or legal guardians of a student-athlete.*"

B. Bylaws: Amend 16.12.1.8, page 173, as follows:

[Division II]

"16.12.1.8 Reasonable Refreshments. An institution may provide student-athletes with reasonable refreshments (e.g., soft drinks, snacks) in conjunction with student-athlete educational and business meetings **or in situations in which the institution provides reasonable refreshments on an occasional basis to the parents or legal guardians of the student-athlete per Bylaw 16.6.1.6.**"

Source: NCAA Division II Presidents Council [Management Council (Legislation Committee)].

Effective Date: August 1, 2004

Rationale: Current legislation permits the parents (or legal guardians) of a student-athlete to receive reasonable refreshments in conjunction with an educational event. Thus, it is reasonable to extend the rule to other events (e.g. senior day reception), provided they occur only on an occasional basis. This

proposal provides student-athletes and parents (or legal guardians) of student-athletes a welcome benefit without creating a competitive advantage.

Action: Adopted.

**NO. 17 (NO. 2-33) AWARDS AND BENEFITS —
DEPARTURE/RETURN
RESTRICTIONS—EXCEPTIONS**

Intent: To create an exception to the return/departure regulations when bad weather, safety and security issues, or a student-athlete's injury or illness prevents an institution from complying with the legislation.

Bylaws: Amend 16.8.1.2.1, pages 169-170, as follows:

[Division II]

“16.8.1.2.1 Departure/Return Expense Restrictions. An eligible student-athlete may receive actual and necessary travel expenses to represent the institution in athletics competition, provided the student-athlete departs for the competition no earlier than 48 hours before the start of the actual competition and remains no more than 36 hours after the conclusion of the actual competition even if the student-athlete does not return with the team.

“16.8.1.2.1.1 Exceptions. These travel expense restrictions do not apply in the following circumstances:

“(a) **When weather or safety concerns arise. The conditions must be out of the institution's control and must be the result of weather or safety concerns, which result in the student-athlete(s)' inability to travel in accordance with the institution's original travel plans.**

“(b) **When a student-athlete becomes injured or ill. The injury or illness must result in the student-athlete's inability to travel in accordance with the institution's original travel plans.**”

[16.8.1.2.1.1-(a) through 16.8.1.2.1.1-(e) renumbered as 16.8.1.2.1.1-(c) through 16.8.1.2.1.1-(j), unchanged.]

Source: NCAA Division II Presidents Council [Management Council (Legislation Committee)].

Effective Date: Immediately, for any travel occurring on or after August 1, 2003.

Rationale: There are times that an institution may be required to alter its travel plans due to weather or security and safety issues or alter an individual student-athlete's travel plans as a result of injury or illness. Presently, if the altered schedule places the institution in non-compliance with departure/return regulations the institution would be required to file a waiver or in some cases file a secondary violation. If the situation is legiti-

mately out of the control of the institution a waiver would likely be granted. This legislation will eliminate the need to apply for a waiver in instances of inclement weather or security and safety problems or instances of student-athlete injury or illness. This proposal does not lessen the institution's obligation to comply with legislation and requires the situation to be out of the institution's control. This proposal is a student-athlete welfare issue and is in the spirit of deregulation. The proposed effective date would be immediate for any travel occurring on or after August 1, 2003. This effective date would allow an institution to apply the recommended exceptions (rather than file a waiver) for all travel occurring on or after August 1, 2003. All travel conducted in the 2003-04 academic year would be subject to the same set of exceptions.

Action: Adopted, effective immediately for any travel occurring on or after August 1, 2003.

**NO. 18 (NO. 2-34) AWARDS AND BENEFITS — PROVISIONS
OF EXPENSES BY INDIVIDUALS OR
ORGANIZATIONS OTHER THAN THE
INSTITUTION — STUDENT-TEACHING**

Intent: To eliminate the regulations regarding receipt of actual and necessary expenses by a student-athlete who is student-teaching and to allow the student-athlete to receive any actual and necessary expenses related to student-teaching that are also available to the general student body.

Bylaws: Amend 16.11.1.4, page 172, as follows:

[Division II]

“16.11.1.4 Student-Teaching. A student-athlete may accept actual and necessary travel expenses from a high school where he or she is student-teaching (even if teaching or coaching a sport), if the high school is located in a city other than the one in which the collegiate institution is located. In order for the student-athlete to accept such expenses:

“(a) Receipt of the expenses must be permitted by the established guidelines of the institution for other student-teacher trainees;

“(b) The assigned coaching responsibilities must be a part of the supervised, evaluated teacher-training program in which the student-athlete is enrolled; and

“(c) The high school must provide such expenses for all of its student-teacher trainees.”

Source: NCAA Division II Presidents Council [Management Council (Legislation Committee)].

Effective Date: August 1, 2004

Rationale: Current legislation permits a student-athlete who is stu-

dent teaching at a high school located in a city other than the one in which the collegiate institution is located to accept actual and necessary travel expenses from the high school. However, the legislation does not permit the receipt of such expenses for student-athletes who student-teach at a high school located within the city in which the institution is located or for student-athletes who student-teach at an elementary school or middle school regardless of its location. It is arbitrary and unnecessary to make this distinction. If this distinction were eliminated the extra benefit legislation would govern. Extra benefit legislation currently prohibits any special arrangement by an institution, institutional employee or representative of the institution's athletics interests to provide the student-athlete or his/her relatives or friends with any benefit not also available to the general student body or otherwise legislated. This proposed change would make it permissible for the student-athlete to accept actual and necessary travel expenses for student teaching at any school (not just a high school that is in a city other than the one in which the collegiate institution is located) if its permissible for the general student body to do so. This proposed change is consistent with deregulation efforts.

Action: Adopted.

PRESIDENTS COUNCIL GROUPING

***NO. 19 (NO. 2-2) NCAA MEMBERSHIP — CONDITIONS AND OBLIGATIONS OF ACTIVE MEMBERSHIP — CERTIFICATION OF INSURANCE COVERAGE**

Intent: To require as a condition of NCAA membership that an institution certify on an annual basis insurance coverage for athletically related injuries sustained by specified participants covered events.

Constitution: Amend 3.2.4, page 9, as follows:

[Division II, Roll Call]

“3.2.4 Conditions and Obligations of Membership.

[3.2.4.1 through 3.2.4.7 unchanged.]

“3.2.4.8 Certification of Insurance Coverage. An active member institution must certify insurance coverage for medical expenses resulting from athletically related injuries sustained by the following individuals while participating in a covered event (see Constitution 3.2.4.8.3):

“(a) A student-athlete participating in the covered event in an intercollegiate sport as recognized by the participating institution;

“(b) A prospective student-athlete participating in the covered event who has graduated from high

school and signed an irrevocable commitment to participate in an intercollegiate sport at a participating institution; and

- “(c) A student-coach, student-manager, student-trainer or student-cheerleader who is part of an athletics team that is participating in the covered event in an intercollegiate sport as recognized by the participating institution. Such individuals must be enrolled full time or, if not enrolled full time, are enrolled in the necessary hours to receive a baccalaureate degree at the conclusion of the term.

“3.2.4.8.1 Amount of Coverage Insurance. Such insurance coverage must be of equal or greater value than the deductible of the NCAA catastrophic injury insurance program and may be provided through the following sources:

- “(a) Parents’ or guardians’ insurance coverage;
- “(b) Participant’s personal insurance coverage; or
- “(c) Institution’s insurance program.

“3.2.4.8.2 Athletically Related Injuries. For purposes of this bylaw, athletically related injuries are injuries that are a direct result of participation in a covered event (see Constitution 3.2.4.8.3).

“3.2.4.8.3 Covered Event. A covered event includes the following:

- “(a) Any intercollegiate sports activity including team travel, competition, practices, and conditioning sessions during the playing season (as defined in Bylaw 17.1.1);
- “(b) An NCAA-sanctioned competition in which the insured person (i.e., student-athlete or prospective student-athlete) is an official competitor; or
- “(c) Practice and conditioning sessions that are authorized, organized, or directly supervised by athletics department personnel at the member institution other than during the playing season. Such sessions must occur on campus or at approved off campus facilities as part of an intercollegiate athletics activity. For insured student-athletes or prospective student-athletes who compete in individual sports, off-campus intercollegiate athletics activities must be authorized by athletic department personnel at the participating school and take place at approved locations.”

Source: NCAA Division II Presidents Council [Management Council (Risk Management and Insurance Task Force)].

Effective Date: August 1, 2004

Rationale: This proposal is the result of analysis and study by an NCAA task force charged with reviewing student-athlete insurance programs, the Association's portfolio of business insurance policies and contingency planning for Association events. Based on the task force's findings, the health and welfare of students and prospective student-athletes will be greatly enhanced if all active members of the NCAA are required to certify each year that insurance is in place to cover any medical expenses that may result from athletically related injuries sustained by students and prospective student-athletes while participating in intercollegiate athletic activities. This proposal does not require an institution to finance such insurance. Rather, if adopted, the proposal requires member institutions to certify that the affected students present proof of insurance coverage.

Action: Adopted, as amended by No. 19-1, 227-23-2.

*NO. 19-1	NCAA MEMBERSHIP — CONDITIONS AND OBLIGATIONS OF ACTIVE MEMBERSHIP — CERTIFICATION OF INSURANCE COVERAGE
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Intent: To change the effective date of Proposal No. 19 from August 1, 2004, to August 1, 2005.

Constitution: Amend 3.2.4, page 9, as follows:

[Division II, Roll Call]

“3.2.4 Conditions and Obligations of Membership.

[3.2.4.1 through 3.2.4.7 unchanged.]

“3.2.4.8 Certification of Insurance Coverage. An active member institution must certify insurance coverage for medical expenses resulting from athletically related injuries sustained by the following individuals while participating in a covered event (see Constitution 3.2.4.8.3):

“(a) A student-athlete participating in the covered event in an intercollegiate sport as recognized by the participating institution;

“(b) A prospective student-athlete participating in the covered event who has graduated from high school and signed an irrevocable commitment to participate in an intercollegiate sport at a participating institution; and

“(c) A student-coach, student-manager, student-trainer or student-cheerleader who is part of an athletics team that is participating in the covered event in an intercollegiate sport as recognized by the participating institution. Such individuals must be enrolled full time or, if

not enrolled full time, are enrolled in the necessary hours to receive a baccalaureate degree at the conclusion of the term.

“3.2.4.8.1 Amount of Coverage Insurance. Such insurance coverage must be of equal or greater value than the deductible of the NCAA catastrophic injury insurance program and may be provided through the following sources:

- “(a) Parents’ or guardians’ insurance coverage;
- “(b) Participant’s personal insurance coverage; or
- “(c) Institution’s insurance program.

“3.2.4.8.2 Athletically Related Injuries. For purposes of this bylaw, athletically related injuries are injuries that are a direct result of participation in a covered event (see Constitution 3.2.4.8.3).

“3.2.4.8.3 Covered Event. A covered event includes the following:

- “(a) Any intercollegiate sports activity including team travel, competition, practices, and conditioning sessions during the playing season (as defined in Bylaw 17.1.1);
- “(b) An NCAA-sanctioned competition in which the insured person (i.e., student-athlete or prospective student-athlete) is an official competitor; or
- “(c) Practice and conditioning sessions that are authorized, organized, or directly supervised by athletics department personnel at the member institution other than during the playing season. Such sessions must occur on campus or at approved off campus facilities as part of an intercollegiate athletics activity. For insured student-athletes or prospective student-athletes who compete in individual sports, off-campus intercollegiate athletics activities must be authorized by athletic department personnel at the participating school and take place at approved locations.”

Source: NCAA Division II Presidents Council [Bluefield State College, Concord College, Fairmont State College, Glenville State College, Shepard College, West Liberty State College, West Virginia State College and West Virginia University Institute of Technology.]

Effective Date: August 1, 2005

Rationale: A number of Division II institutions are members of insurance consortiums, self-insured or involved in “loss-leveling pools” as a means of providing athletics injury coverage to their student-athletes. The current levels of coverage may not be adequate to meet the requirements of the legislation being proposed. Delaying the effective date would give these institutions

time to explore what “gap” coverage or other insurance products may be available that would allow them to comply with the intent of the legislation. This also would allow the membership to examine the entire issue of insurance coverage, particularly the rising costs associated with all aspects of health care.

Action: Adopted, 242-2-1.

**NO. 20 (NO. 2-3) AMATEURISM — PROFESSIONAL
SPORTS COUNSELING PANEL**

Intent: To specify that the institution’s professional sports counseling panel must be appointed and overseen by the institution’s chief executive officer (or his or her designated representative from outside the athletics department); further, to eliminate regulations related to the activities and composition in which it is permissible for a head coach or an institution’s professional sports counseling panel to interact with agents, professional sports teams or professional sports organizations on behalf of a student-athlete.

A. Bylaws: Amend 11.1.4.1, page 57, as follows:

[Division II]

“11.1.4.1 Exception — Professional Sports Counseling Panel and Head Coach. An institution’s professional sports counseling panel or a head coach in a sport may contact agents, professional sports teams or professional sports organizations on behalf of a student-athlete, provided no compensation is received for such services. The head coach shall consult with and report his or her activities on behalf of the student-athlete to the institution’s professional sports counseling panel. If the institution has no such panel, the head coach shall consult with and report his or her activities to the chief executive officer, [or an individual or group (e.g., athletics advisory board) designated by the chief executive officer]. *The professional sports counseling panel and the head coach may:*

- “(a) *Communicate directly (e.g., in-person, by mail or telephone) with representatives of a professional athletics team to assist in securing a tryout with that team for a student-athlete;*
- “(b) *Assist the student-athlete in the selection of an agent by participating with the student-athlete in interviews of agents, by reviewing written information player agents send to the student-athlete and by having direct communication with those individuals who can comment about the abilities of an agent (e.g., other agents, a professional league’s players’ association); and*
- “(c) *Visit with player agents or representatives of professional athletics teams to assist the student-athlete in determining his or her market value (e.g., potential salary, draft status).”*

B. Bylaws: Amend 12.3.4, page 68, as follows:

[Division II]

“12.3.4 Professional Sports Counseling Panel. It is permissible for an **institution to have an** authorized institutional professional sports counseling panel **appointed and overseen by the institution’s chief executive officer (or his or her designated representative from outside the athletics department)** to:.

- “(a) Advise a student-athlete about a future professional career;
 - “(b) Provide direction on securing a loan for the purpose of purchasing insurance against a disabling injury;
 - “(c) Review a proposed professional sports contract;
 - “(d) Meet with the student-athlete and representatives of professional teams;
 - “(e) Communicate directly (e.g., in-person, by mail or telephone) with representatives of a professional athletics team to assist in securing a tryout with that team for a student-athlete;
 - “(f) Assist the student-athlete in the selection of an agent by participating with the student-athlete in interviews of agents, by reviewing written information player agents send to the student-athlete and by having direct communication with those individuals who can comment about the abilities of an agent (e.g., other agents, a professional league’s players’ association); and
 - “(g) Visit with player agents or representatives of professional athletics teams to assist the student-athlete in determining his or her market value (e.g., potential salary, draft status).
- “12.3.4.1 Appointment by Chief Executive Officer. This panel shall consist of at least three persons appointed by the institution’s chief executive officer (or his or her designated representative from outside the athletics department).
- “12.3.4.2 Composition. No more than one panel member may be an athletics department staff member. All other panel members must be selected by the institution from among its full-time employees employed outside the athletics department. No institutional staff member who is a sports agent may be a member of the panel. All panel members shall be identified to the NCAA national office.”

C. Bylaws: Amend 16.3.1, page 166, as follows:

[Division II]

“16.3.1 Permissible. Academic and other support services that may be financed by an institution are:

[16.3.1-(a) through 16.3.1-(d) unchanged.]

- “(e) Future professional athletics career counseling from a panel of at least three persons appointed by the institution’s chief executive officer (or his or her designated representative from outside the athletics department). Not more than one such panel member may be an athletics department staff member, and all other panel members must be selected by the institution from among its full-time employees who are employed outside

the athletics department. All panel members shall be identified to the national office (see Bylaws 11.4.1 and 12.3.4);”

[16.3.1-(f) through 16.3.1-(j) unchanged.]

Source: NCAA Division II Presidents Council [Management Council (Legislation Committee)].

Effective Date: Immediately.

Rationale: The Legislation Committee believes that the permissible methods for a head coach or a professional sports counseling panel to interact with agents and professional teams is redundant. The text preceding the list specifies that contact with agents, professional sports teams or professional sports organizations on behalf of a student-athlete is permissible. Removal of such legislation is consistent with the elimination of unnecessary legislation. Further, it should be left to the institution’s discretion to determine the duties, responsibilities and composition of the professional sports counseling panel. This proposal has an immediate effective date so as to allow institutions the benefit of deregulating a rule as soon as possible.

Action: Adopted, effective immediately.

**NO. 21 (NO. 2-7) AMATEURISM — PROMOTIONAL
ACTIVITIES — INSTITUTIONAL,
CHARITABLE, EDUCATIONAL OR
NONPROFIT PROMOTIONS —
COMMERCIAL ITEMS**

Intent: To specify that any commercial item with the name or picture of a student-athlete may be sold only by a member institution, member conference or the NCAA through outlets controlled by the member institution, member conference, NCAA or outlets controlled by the charitable or educational organization; further, to permit a third party hired by the member institution, member conference or the NCAA to sell and distribute a picture of a student-athlete as specified.

Bylaws: Amend 12.5.1 by adding new 12.5.1.9, pages 69-72, as follows:

[Division II]

“12.5.1 Permissible

“12.5.1.1 Institutional, Charitable, Educational or Nonprofit Promotions. A member institution or recognized entity thereof (e.g., fraternity, sorority or student government organization), a member conference or a noninstitutional charitable, educational or nonprofit agency may use a student-athlete’s name, picture or appearance to support its charitable or educational activities or to support activities considered incidental to the student-athlete’s participation in intercollegiate athletics, provided the following conditions are met:

[12.5.1.1-(a) through 12.5.1.1-(g) unchanged.]

“(h) Any commercial items with names or pictures of student-athletes (other than *highlight films or media guides items specified per Bylaws 12.5.1.8 and 12.5.1.9*) may be sold only **by the member institution, member conference or NCAA, through** *at the member institution at which the student-athlete is enrolled, institutionally controlled (owned and operated)* outlets **controlled by the member institution, member conference or the NCAA** or outlets controlled by the charitable or educational organization (e.g., location of the charitable or educational organization, site of charitable event during the event); and

[12.5.1.1-(i) unchanged.]

[12.5.1.1.1 through 12.5.1.1.4 unchanged.]

[12.5.1.2 through 12.5.1.8 unchanged.]

“12.5.1.9 Promotion by a Third Party of Photographs. Any party hired by the member institution, the member conference or NCAA may sell and distribute a picture of a student-athlete only if:

“(a) The member institution, the member conference or the NCAA specifically designates the agency that is authorized to receive orders for the film/photograph;

“(b) Sales and distribution activities have the written approval of the member institution’s athletics director, the member conference’s commissioner or the NCAA;

“(c) The third party is precluded from using the name or picture of an enrolled student-athlete in any poster or other advertisement to promote the sale or distribution of the film/photograph; and

“(d) There is no indication in the make-up or wording of the advertisement that squad members, individually or collectively, or the institution, the conference or the NCAA endorses the product or services of the advertiser.”

[12.5.1.9 through 12.5.1.10 renumbered as 12.5.1.10 through 12.5.1.11, unchanged.]

Source: NCAA Division II Presidents Council [Management Council (Legislation Committee)].

Effective Date: August 1, 2004

Rationale: Member institutions, member conferences and the NCAA should be permitted to sell commercial items with names and pictures of student-athletes through outlets controlled by the member institution, member conference, the NCAA or outlets controlled by the charitable or educational organization. However, the remaining conditions of the affected legislation will still apply. For example, member institutions, member conferences and/or the NCAA will still be required to ensure that a student-athlete’s name or picture that appears on a commercial

item is not used to promote or advertise a commercial product, agency or service of any kind. Further, a party hired by the member institution, member conference and/or the NCAA should be permitted to sell and distribute pictures of student-athletes under specified conditions. The specified conditions as proposed are the same conditions presently required of third parties in order to sell or distribute highlight film, videotape or media guides.

Action: Adopted.

**NO. 22 (NO. 2-9) AMATEURISM — MEDIA ACTIVITIES —
30-MILE RADIUS**

Intent: To eliminate the 30-mile radius requirement for receipt of legitimate and normal expenses for a student-athlete's appearance or participation in media activities related to intercollegiate athletics and to allow student-athletes to participate in media activities during the playing season and outside the playing season under the same specified conditions.

Bylaws: Amend 12.5.3, page 73, as follows:

[Division II]

“12.5.3 Media Activities.

“(a) *During the Playing Season. During the playing season, a student-athlete may appear on local radio and television programs (e.g., coaches shows) or engage in writing projects when the student-athlete's appearance or participation is related in any way to athletics ability or prestige, provided the student-athlete does not receive any remuneration for the appearance or participation in the activity. The student-athlete shall not make any endorsement, expressed or implied, of any commercial product or service. The student-athlete may, however, receive legitimate and normal expenses directly related to the appearance or participation in the activity, provided it occurs within a 30-mile radius of the institution's main campus. The institution also may provide such expenses for a student-athlete to appear on radio or television in the general locale of an institution's away-from-home competition.*

“(b) *Outside the Playing Season. Outside the playing season, a student-athlete may participate in media activities (e.g., appearance on radio, television, in films or stage productions or participation in writing projects) when such appearance or participation is related in any way to athletics ability or prestige, provided the student-athlete is eligible academically to represent the institution and does not receive any remuneration for such appearance or participation. The student-athlete may not make any endorsement, expressed or implied, of any commercial product or service. The student-athlete may, however, receive legitimate and normal expenses*

directly related to such appearance or participation, provided the source of the expenses is the entity sponsoring the activity.

“A student-athlete may participate in media activities when such an appearance or participation is related in any way to athletics ability or prestige provided:

“(a) The student-athlete is eligible academically to represent the institution at the time of appearance or participation;

“(b) The student-athlete does not receive any remuneration for the appearance or participation in the activity; and

“(c) The student-athlete does not make any endorsement, expressed or implied, of any commercial product or service.

“The institution or the entity sponsoring the activity may pay the actual and necessary expenses directly related to the appearance or participation by the student-athlete in the activity.”

Source: NCAA Division II Presidents Council [Management Council (Legislation Committee)].

Effective Date: August 1, 2004

Rationale: The Management Council and Presidents Council believed the “30-mile radius rule” to be arbitrary and unnecessary. In addition, the distinctions between what types of media activities in which the student-athlete may participate during the playing season and outside the playing season overly regulate this subject. It is in the spirit of deregulation to eliminate these aforementioned distinctions and the 30-mile radius restriction and allow the institution at its discretion to monitor the types of media activities in which its student-athletes participate.

Action: Adopted.

***NO. 23 (NO. 2-18) ELIGIBILITY — PROGRESS TOWARD
DEGREE — FULFILLMENT OF CREDIT-
HOUR REQUIREMENTS — SIX CREDIT
HOURS**

Intent: To specify that a student-athlete shall earn six-semester or six-quarter hours of academic credit the preceding regular academic term in which the student-athlete has been enrolled full-time at any collegiate institution; further, to specify for transfer student-athletes, that the six-semester or six-quarter hours are transferable degree credit.

Bylaws: Amend 14.4.3.1, page 122, as follows:

[Division II, Roll Call]

“14.4.3.1 Fulfillment of Credit-Hour Requirements. Eligibility

for competition *for a midyear transfer student-athlete, or for a student-athlete after the student-athlete's first academic year in residence, or after the student-athlete has used one season of eligibility in any sport at the certifying institution shall be determined by the student-athlete's academic record in existence at the beginning of the fall term or at the beginning of any other regular term of that academic year, shall be based on the following requirements:*

“(a) Satisfactory completion of six-semester or six-quarter hours of academic credit the preceding regular academic term in which the student-athlete has been enrolled full time at any collegiate institution; and

“(b) For a midyear transfer student-athlete, for a student-athlete subsequent to the student-athlete's first academic year in residence or after the student-athlete has used one season of eligibility in any sport at the certifying institution the certification shall be determined by the student-athlete's academic record in existence at the beginning of the fall term or at the beginning of any other regular term of that academic year, based on:

[14.4.3.1-(a) and 14.4.3.1-(b) renumbered as 14.4.3.1-(b)-(1) and 14.4.3.1-(b)-(2), unchanged.]

“14.4.3.1.1 Transfer Student — Six-Hour Requirement. For purposes of certifying eligibility for transfer students under Bylaw 14.4.3.1-(a), the six-semester or six-quarter hours must be transferable degree credit. [See Bylaw 14.5.4.3.4.]”

[14.4.3.1.1 through 14.4.3.1.2 renumbered as 14.4.3.1.2 through 14.4.3.1.3, unchanged.]

Source: NCAA Division II Presidents Council [Management Council (Academic Requirements Committee)].

Effective Date: Immediately; Subsequent to the institution's 2005 fall term; thus, applicable to hours earned during the 2005 fall term.

Rationale: By establishing a term-by-term hours requirement, it will be clear that academics is a Division II student-athlete's first priority and that the division has academic expectations of its student-athletes. Further, the Division II Student-Athlete Advisory Committee (SAAC) is in support of this amendment, inasmuch as the SAAC believes establishing such a requirement supports the NCAA and Division II's commitment to student-athlete welfare. According to the SAAC, by putting more checks and balances in place, potential “at-risk” student-athletes will be “caught” earlier; thus, allowing more opportunity to get back on track. Additionally, the Division II membership was surveyed regarding current midyear certification practices. Of the 84 percent of the Division II membership who responded to the survey,

64 percent currently conduct some type of academic check or eligibility review at the conclusion of every term. Finally, this proposal will be effective for transfer students, continuing student-athletes and students first entering a collegiate institution on or after August 1, 2005, to ensure consistency in the application and academic expectations of students. A delayed effective date is in order to provide appropriate notice for continuing student-athletes, and institutions will be required to begin certifying completion of the six hours requirement for hours earned in the 2005 fall semester or quarter. Also, for transfer student-athletes, the institution must certify that at least six-semester or -quarter hours from the previous term are transferable-degree credits.

Action: Adopted, 207-47-2.

**NO. 24 (NO. 2-19) ELIGIBILITY — PROGRESS TOWARD
DEGREE — CALCULATION OF GRADE-
POINT AVERAGE**

Intent: To specify that a student-athlete must meet the minimum grade-point average at the certifying institution based on the method of calculation used by the institution for calculating grade-point averages for all students and shall include only course work normally counted by the certifying institution in calculating the grade-point averages for graduation.

Bylaws: Amend 14.4.3.2.1, page 124, as follows:

[Division II]

“14.4.3.2.1 Calculation of Grade-Point Average for Student-Athletes. A student-athlete must meet the minimum grade-point average at the certifying institution based on the method of calculation used by the institution for calculating grade-point averages for all students, and **the calculation** shall include only course work *taken at* **normally counted by** the certifying institution **in calculating the grade-point average for graduation.**”

Source: NCAA Division II Presidents Council [Management Council (Legislation Committee)].

Effective Date: August 1, 2004, for all certifications for eligibility in the fall 2004 and thereafter.

Rationale: The NCAA Division II Legislation Committee’s intent regarding 2003 NCAA Proposal No. 21 was to prohibit a student-athlete who was not meeting the grade-point average requirements at his or her certifying institution from enrolling at an institution with different academic standards to take a course to improve his or her grade-point average for NCAA eligibility purposes. Thus, 2003 Proposal No. 21 required the grade-point average to be calculated using “only course work taken at the certifying institution.” However, this approach has had some

unintended consequences. Some institutions will accept course work from other institutions and use such course work and grades in the calculation of the grade-point average for graduation for all students. Knowledge of this practice has minimized the committee's concern that course work completed at other institutions was being used solely for purposes of attempting to satisfy NCAA eligibility requirements. This proposal if adopted, will require that grades from courses completed at other institutions be acceptable and counted toward the grade-point average for graduation. Therefore, grades for coursework completed at another institution may be used to meet NCAA progress toward degree requirements under specified conditions. This change is consistent with the committee's original intent of ensuring students are progressing toward graduation.

Action: Adopted.

***NO. 25 (NO. 2-20) ELIGIBILITY — TWO-YEAR COLLEGE TRANSFERS — ELIGIBILITY FOR COMPETITION, PRACTICE AND ATHLETICS AID**

Intent: To specify that a student-athlete who transfers from a two-year college to the certifying institution, must present two semesters or three quarters of full-time attendance at the two-year college and either graduate from the two-year college or satisfactorily complete an average of at least 12-semester or 12-quarter hours of transferable degree credit acceptable toward any baccalaureate degree program at the certifying institution for each academic term of full-time attendance at the two-year college with a cumulative minimum grade-point average of 2.000.

Bylaws: Amend 14.5.4.1, page 128, as follows:

[Division II, Roll Call]

"14.5.4.1 Eligibility for Competition, Practice and Athletics Aid. A transfer student from a two-year college is eligible for competition, practice and athletics aid during the first academic year in residence at the certifying institution if the following requirements have been met **at the two-year college immediately preceding the transfer to the certifying institution:**

- "(a) The student-athlete has attended *a* **the** two-year college as a full-time student for at least two semesters or three quarters; and
- "(b) The student-athlete has satisfied one of the following provisions:
 - "(1) Graduated from *a* **the** two-year college; or
 - "(2) *Presented a minimum of 24-semester or 36-quarter hours of transferable-degree credit with a cumulative minimum grade-point average of 2.000 (see Bylaw*

14.5.4.3.4.2) and, for those student-athletes first entering a two-year collegiate institution on or after August 1, 1996, ~~s~~Satisfactorily completed an average of at least 12-semester or 12-quarter hours of transferable-degree credit acceptable toward any baccalaureate degree program at the certifying institution for each academic term of full-time attendance **with a cumulative minimum grade-point average of 2.000** (see Bylaw 14.5.4.3.4.2) at any collegiate institution.”

Source: NCAA Division II Presidents Council [Management Council (Legislation Committee)].

Effective Date: August 1, 2004

Rationale: In response to concerns regarding the application of 2003 Convention Proposal Nos. 24 and 25, the Legislation Committee reviewed the current application of the legislation to determine if it was consistent with the committee’s original intentions. The original intent of the committee when it sponsored 2003 Convention Proposal Nos. 24 and 25 was to require a transfer student, who previously attended a four-year institution and transferred to a two-year college, to satisfy the same standards while in attendance at the two-year college, as a student who attended a two-year college immediately following high school. The proposed changes to the legislation are in the spirit of deregulation as a two-year college transfer will now be evaluated based on work and time spent at the two-year college and will not be held accountable for work or time spent at a four-year college which preceded attendance at the two-year college.

Action: Adopted, 245-10-0.

**NO. 26 (NO. 2-26) AWARDS AND BENEFITS — EXPENSES
TO RECEIVE NONINSTITUTIONAL
AWARDS — HOMETOWN AWARDS**

Intent: To permit a hometown group to pay the expenses of a student-athlete returning home to receive an award.

Bylaws: Amend 16.1.6.1, page 164, as follows:

[Division II]

“16.1.6.1 Hometown Awards. **Only Aa** *member institution, its booster club or any other organization* **hometown group** may not pay the **actual and necessary** expenses of *any a* student-athlete returning home to receive an award *for athletics accomplishments or for other personal purposes. The student-athlete may return home at his or her own expense to attend a recognition event and receive an award from any hometown group (e.g., alumni club) that is not the institution’s local athletics booster group.*”

Source: NCAA Division II Presidents Council [Management Council (Legislation Committee)].

Effective Date: August 1, 2004

Rationale: This proposal is consistent with Division II deregulation efforts. If this proposal is adopted, it would remain impermissible for institutions and boosters to provide expenses to a student-athlete to return home to receive an award, but it would be permissible for a hometown group to provide such expenses. Currently, a student-athlete is permitted to return home only at his or her own expense to attend a recognition event to receive such an award. This proposal would permit hometown groups to provide such expenses. Please note, for purposes of this legislation, a booster club of the institution is not a hometown group regardless of whether the booster club is located in the recipient's hometown.

Action: Adopted.

***NO. 27 (NO. 2-28) AWARDS, BENEFITS AND EXPENSES
FOR ENROLLED STUDENT-ATHLETES
— ACADEMIC EXPENSES**

Intent: To permit an institution to finance academic and other support services that the institution, at its discretion, determines to be appropriate and necessary for the academic success of its student-athletes; further, to permit an institution to pay the actual and necessary expenses for the cost of copying, faxing or using Internet services, while the student-athlete is away from campus representing the institution, provided the expense is for purposes related to the completion of required academic course work.

Bylaws: Amend 16.3, page 165, as follows:

[Division II, Roll Call]

*"16.3.1 Permissible. Academic and other support services that may be financed by an institution are: **A member institution may finance academic and other support services that the institution, at its discretion, determines to be appropriate and necessary for the academic success of its student-athletes, including, but not limited to, the following:***

[16.3.1-(a) unchanged.]

"(b) Drug-rehabilitation program expenses;

"(c) Counseling expenses related to the treatment of eating disorders;

[16.3.1-(d) through 16.3.1-(f) unchanged.]

*"(g) Use of computers and typewriters;. **It is permissible for a student-athlete to use institutionally owned computers and typewriters on a check-out and retrieval basis; however, typing/word processing/editing services or costs may not be provided, even if typed reports and other papers are a requirement of a course in which a student-athlete is enrolled;***

“(h) Use of copy machines, fax machines and the Internet. It is permissible for an institution to pay the actual and necessary expenses for the cost of copying, faxing or using Internet services, including related long-distance charges, while the student-athlete is away from campus representing the institution, provided the expense is for purposes related to the completion of required academic course work;

[16.3.1-(h) through 16.3.1-(i) relettered as 16.3.1-(i) through 16.3.1-(j), unchanged.]

“16.3.2. Nonpermissible. Services that may not be financed by the institution include, but are not limited to, the following:

“(a) Typing costs, even if typed reports and other papers are a requirement of a course in which a student-athlete is enrolled. Typing costs are not considered an institutional fee under NCAA legislation, and payment would be considered an extra benefit not available to the general student body;

“(b) Course supplies (e.g., calculators, art supplies); and

“(c) Use of a copy machine only for student-athletes.”

Source: NCAA Division II Presidents Council [Management Council (Legislation Committee)].

Effective Date: August 1, 2004

Rationale: This proposal not only represents significant deregulation, but also provides institutions with the opportunity to enhance student-athlete welfare. Institutions should have the discretion to provide expenses related to academics if it is determined that the expense will enhance the academic success of student-athletes. This would be permissive legislation, and an institution could provide none, some or all of the expenses related to a student-athlete’s academic welfare. However, this proposal would only permit an institution to pay the actual and necessary expenses for the cost of copying, faxing or using Internet services, while the student-athlete is away from campus representing the institution, provided the expense is for purposes related to the completion of required academic course work.

Action: Adopted, 238-9-1.

NO. 28 (NO. 2-31) AWARDS AND BENEFITS — PERMISSIBLE EXPENSES — LIFE THREATENING INJURY OR ILLNESS

Intent: To permit an institution to provide expenses for a student-athlete and the student-athlete’s teammates to be present in situations involving the death or a life-threatening injury or illness of a student-athlete’s family member, without restricting the deceased, injured or ill individual to being an immediate family member, without restricting such expenses to a 100-mile radius from campus, or without requiring a preexisting relationship to

exist between the teammates and the deceased or injured individual.

Bylaws: Amend 16.6.1.2.1, page 168, as follows:

[Division II]

“16.6.1.2.1 *Immediate Family Member of Student-Athlete.* An institution may pay transportation, housing and meal expenses for a student-athlete and the student-athlete's teammates to be present, *within a 100-mile radius of the institution's campus*, in situations in which an *immediate* family member or legal guardian of the student-athlete (*i.e., spouse, parent and legal guardian, sister, brother*) suffers a life-threatening injury or illness or, in the event of an *immediate* family member's or legal guardian's death, to provide the student-athlete and the student-athlete's teammates with expenses in conjunction with funeral arrangements. *A preexisting relationship must exist between the student-athlete's teammates and the deceased or injured individual.*”

Source: NCAA Division II Presidents Council [Management Council (Legislation Committee)].

Effective Date: Immediately, for any transportation, housing and/or meal expenses incurred on or after August 1, 2003.

Rationale: This proposal is consistent with Division II deregulation efforts. The current rule permits expenses to be provided only when an immediate family member (*i.e., spouse, parent, legal guardian, sibling*) dies or suffers a life-threatening injury or illness. In addition, the current rule allows expenses to be provided only within a 100-mile radius of campus and requires a pre-existing relationship to exist between the student-athlete's teammates and the deceased or injured individual. An institution should have the discretion to provide these expenses when any family member (*e.g., cousin, grandparent, uncle, niece*) of a student-athlete dies or suffers a life-threatening injury or illness. In addition, the 100-mile radius restriction no longer is practical. The families of most student-athletes reside more than 100 miles from campus, and requests for waivers of the 100-mile radius are granted on a regular basis. Finally, the requirement that a pre-existing relationship exist between the student-athlete's teammates and the deceased or injured individual is not necessary. An institution should have the discretion to decide when the provision of these expenses is appropriate. The proposed effective date for this amendment is immediate and may also be applied for any transportation, housing and/or meal expenses incurred on or after to August 1, 2003. All transportation, housing and/or meal expenses incurred during the 2003-04 academic year would be subject to the same legislation.

Action: Adopted.

**NO. 29 (NO. 2-35) BENEFITS, GIFTS AND SERVICES —
OCCASIONAL MEALS**

Intent: To permit an institutional staff member to provide a student-athlete or a team with an occasional meal (and transportation to attend the meal) at any location in the locale of the institution on infrequent and special occasions.

Bylaws: Amend 16.12.1.4, page 173, as follows:

[Division II]

“16.12.1.4 Occasional Meals.

“(a) **Institutional Staff Member.** A student-athlete or the entire team in a sport may receive an occasional *family home* meal **in the locale of the institution on infrequent and special occasions** from an institutional staff member. **An institutional staff member may provide reasonable local transportation to student-athletes to attend such meals.** *or representative of athletics interests under the following conditions:*

“(a) *The meal must be provided in an individual's home (as opposed to a restaurant) and may be catered;*

“(b) *Meals must be restricted to infrequent and special occasions; and*

“(c) *Institutional staff members may provide reasonable local transportation to student-athletes to attend such meals. A representative of the institution's athletics interests may provide reasonable local transportation to student-athletes to attend the meal function only if the meal function is at the home of that representative.*

“(b) **Representative of Athletics Interests.** A student-athlete or the entire team in a sport may receive an occasional family home meal from a representative of athletics interests provided the meal is in the individual's home (as opposed to a restaurant) and may be catered. The representative of athletics interests or an institutional staff member may provide reasonable local transportation to student-athletes to attend such meals.”

Source: NCAA Division II Presidents Council [Management Council (Legislation Committee)].

Effective Date: August 1, 2004

Rationale: This proposal is consistent with Division II deregulation efforts. The current rule related to occasional meals provided by institutional staff members allows such meals to be catered by a restaurant but restricts the location to an individual's home. Restricting the location of an occasional team meal to an individual's home is not practical in sports with large squad sizes. It should be permissible for these meals to be provided by institutional staff members on infrequent or special occasions at any site in the locale of the institution (e.g., public park, restaurant)

and for the institution to provide transportation expenses. This proposal continues to permit a representative of the institution's athletics interests to provide student-athletes with an occasional family home meal and transportation to the meal provided the meal occurs at the representative's home.

Action: Adopted.

**NO. 30 (NO. 2-36) AWARDS AND BENEFITS —
NONPERMISSIBLE —
REIMBURSEMENT FOR
TRANSPORTATION**

Intent: To eliminate the regulation that prohibits an institution or its staff members from providing transportation to an enrolled student-athlete even if the student-athlete reimburses the institution or its staff member.

Bylaws: Amend 16.12.2.3, page 174, as follows:

[Division II]

"16.12.2.3 Other Prohibited Benefits. An institutional employee or representative of the institution's athletics interests may not provide a student-athlete with extra benefits or services, including but not limited to:

[16.12.2.3-(a) through 16.12.2.3-(c) unchanged.]

"(d) Transportation (*e.g., a ride home with a coach*) *except as permitted in Bylaw 16.10.1.11, even if the student-athlete reimburses the institution or its staff member for the appropriate amount of gas or expense* **that is not generally available to the institution's students and their friends and relatives [See Bylaws 16.12.1.1 and 16.10-(e)]; or"**

[16.12.2.3-(e) unchanged.]

Source: NCAA Division II Presidents Council [Management Council (Legislation Committee)].

Effective Date: August 1, 2004

Rationale: Extra benefit legislation presently prohibits any special arrangement by an institutional employee or representative of the institution's athletics interests to provide the student-athlete or his or her relatives or friends with any benefit not also available to the general student body or otherwise legislated. However, there is a legislated exception, which permits an institutional staff member to provide reasonable local transportation to student-athletes on an occasional basis. Under current legislation, an institution is prohibited from providing transportation to a student-athlete (outside the aforementioned legislative exception) even if the student-athlete reimburses the institution or its staff member for said transportation. This is impermissible regardless of whether this is an opportunity normally available to the general student body. This amended change would permit an institution or its staff mem-

bers to provide transportation to an enrolled student-athlete (even if the student-athlete reimburses the institution or its staff member) so long as the institution or its staff member is in the practice of doing so for all students.

Action: Adopted.

***NO. 31 (NO. 2-48) DIVISION MEMBERSHIP —
MEMBERSHIP REQUIREMENTS —
PHILOSOPHY STATEMENT**

Intent: To modify the Division II philosophy statement, as specified.

Bylaws: Amend 20.10, page 266, as follows:

[Division II, Roll Call]

“20.10 MEMBERSHIP REQUIREMENTS

“PHILOSOPHY STATEMENT

“ In addition to the purposes and fundamental policy of the National Collegiate Athletic Association, as set forth in Constitution 1, members of Division II believe that a well-conducted intercollegiate athletics program, based on sound educational principles and practices, is a proper part of the educational mission of a university or college and that the educational welfare of the participating student-athlete is of primary concern.

“Members support the following principles in the belief that these objectives assist in defining the division and the possible differences between it and other divisions of the Association. This statement shall serve as a guide for the preparation of legislation by the division and for planning and implementation of programs by institutions and conferences. A member of Division II:

“(a) Believes in promoting the academic success of its student-athletes, measured in part by an institution’s student-athletes graduating at least at the same rate as the institution’s student body;

“(b) Believes that participation in intercollegiate athletics benefits the educational experience of its student-athletes and the entire campus community;

“(a c) Believes in offering opportunities for intercollegiate athletics participation to as many of its students as possible, whether or not these students are athletically recruited or financially assisted consistent with the institution’s mission and philosophy;

“(d) Believes in preparing student-athletes to be good citizens, leaders and contributors in their communities;

“(b e) Believes in striving for equitable participation and competitive excellence, encouraging sportsmanship and ethical conduct, enhancing diversity and developing positive societal attitudes in all of its athletics endeavors;

“(c f) Believes in scheduling the majority of its athletics competition with other members of Division II, insofar as regional qualification, geographical location and traditional or conference scheduling patterns permit;

“(d g) Recognizes the **need to “balance” the role of the dual objectives in its athletics program of serving to serve** both the campus (participants, student body, faculty-staff) and the general public (community, area, state);

“(e h) Believes in offering opportunity for participation in inter-collegiate athletics by awarding athletically related financial aid to its student-athletes;

“(f i) Believes that **institutional control is a fundamental principle that supports the educational mission of a Division II institution and assumes presidential involvement and commitment. All funds supporting athletics should be controlled by the institution. and that** The emphasis for an athletics department should be to operate within an institutionally approved budget **and compliance with and self enforcement of NCAA regulations is an expectation of membership**; and

“(g j) Believes that all members of Division II should commit themselves to this philosophy and to the regulations and programs of Division II.”

[20.10.1 through 20.10.3 unchanged.]

Source: NCAA Division II Presidents Council [Management Council].

Effective Date: August 1, 2004

Rationale: Updating the current Division II philosophy statement and strategic plan began in a formal setting in November 2002 when principal members of the Division II Management Council and Presidents Council gathered in Atlanta for a two-day planning retreat. The group agreed it was time to update both documents to better reflect the guiding principles and philosophy of the Division II membership. These enhancements update the Division II philosophy statement and strategic plan and identify issues and concerns that both Councils believe face the Division II membership in the future.

Action: Adopted, 243-0-1.

NO. 32 (NO. 2-50) COMMITTEES — STUDENT-ATHLETE ADVISORY COMMITTEE — TERM OF OFFICE

Intent: To amend the term of office for the Student-Athlete Advisory Committee, as specified.

Bylaws: Amend 21.6.6.8, page 283, as follows:

[Division II]

“21.6.6.8 Division II Student-Athlete Advisory Committee.

“21.6.6.8.1 Composition. The Division II Student-Athlete Advisory Committee shall consist of one representative from each of the Division II multisport voting conferences, one representative of Division II independent institutions provided there are at least six Division II independent institutions, two at-large positions to enhance efforts to achieve diversity of representation and two members of the Division II Management Council. A student-athlete representative initially must be a full-time undergraduate *or graduate* student at a Division II institution, as defined by the regulations of the institution, and must be a student-athlete or a former student-athlete in a Division II sport. Each conference representative must be initially enrolled as an undergraduate *or graduate* student at a Division II institution in the applicable conference. The two Management Council members shall serve as ex officio, non-voting members of the committee. *A Division II conference may permit a representative to complete his or her term after the individual has left undergraduate or graduate school at a Division II institution in the conference, provided such service does not extend the individual's term, as set forth in the individual's original appointment.*

[21.6.6.8.1.1 unchanged.]

[21.6.6.8.2 unchanged.]

“21.6.6.8.3 Term of Office. **At the time of initial appointment to the Student-Athlete Advisory Committee, the student-athlete must have at minimum two years of eligibility remaining.** A student-athlete representative shall not serve more than *two one three-years term* on the committee *but may request reappointment for another two-year term, subject to the conference's recommendation and the chair's approval.* **If the student-athlete resigns from the committee prior to the expiration of the three-year term, his or her replacement shall be appointed to one three-year term on the committee.** Student-athletes may serve on the committee up to *two one* years after completion of their intercollegiate athletics eligibility, **provided the student-athlete remains active with his or her conference's student-athlete advisory committee.** A student-athlete's term of office shall commence in January after the adjournment of the annual Convention. A Management Council representative's term of office shall be concurrent with his or her term of service on the Management Council.

[21.6.6.8.4 unchanged.]

Source: NCAA Division II Presidents Council [Management Council (Student-Athlete Involvement Project Team)].

Effective Date: Immediately, for all Student-Athlete Advisory Committee representatives beginning his/her term of office after the end of the 2004 NCAA Convention.

Rationale: The Student-Athlete Involvement Project Team discussed the high rate of turnover on the Student-Athlete Advisory Committee and agreed that part of the reason for the turnover was due to the eligibility restrictions placed on committee members. The project team believes that with these changes, the turnover would cause less impact on the work of the committee. The proposed effective date would require that any current representative's term comply with existing legislation. The proposed effective date would only allow those representatives beginning his/her term of office on or after the close of the 2004 NCAA Convention to serve a term as suggested in the proposed legislation.

Action: Adopted, effective immediately.

NO. 33 (NO. 2-51) COMMITTEES — DIVISION II STUDENT-ATHLETE ADVISORY COMMITTEE — VACANCIES

Intent: For the Division II Student-Athlete Advisory Committee, to specify that if a conference representative vacates his/her position prior to the completion of his/her term, and if the at-large member of the committee is a member of the same conference, the conference vacancy shall be filled by the at-large representative from the same conference and a new at-large representative shall be elected.

Bylaws: Amend 21.7.6.8.2 by adding new 21.7.6.8.2.1, page 288, as follows:

[Division II]

“21.7.6.8.2 Vacancies. When a vacancy on the committee occurs, the applicable conference shall nominate at least four student-athletes, each from different active member institutions in the conference. Nominations for the independent position and at-large positions will be solicited by the Division II Nominating Committee. Giving due weight to gender and ethnic diversity, as well as diversity by sports participation, student-athlete representatives shall be selected by the Student-Athlete Advisory Committee from the slate of nominees, subject to ratification by the Division II Management Council and Presidents Council.

“21.7.6.8.2.1 Vacancies Prior to Completion of Term. If a conference representative vacates his or her position prior to the completion of a term, and if the at-large member of the committee is a member of the same conference, the conference vacancy shall be filled by the at-large representative from the same conference and a new at-large representative shall be elected.”

Source: NCAA Division II Presidents Council [Management Council (Student-Athlete Advisory Committee)].

Effective Date: August 1, 2004

Rationale: This proposal benefits the conference because the confer-

ence would not be without conference representation while the conference representative is being replaced. Additionally, the proposal would assist the committee in increasing the number of women and ethnically diverse student-athletes on the committee.

Action: Adopted.

AMATEURISM

NO. 34 (NO. 2-4) AMATEURISM — PROFESSIONAL DRAFT — FOOTBALL

Intent: In football, to permit a student-athlete to enter the National Football League's draft without jeopardizing eligibility in that sport, provided the student-athlete is not drafted by any team in that league and the student-athlete declares his intention to resume intercollegiate football participation within 72-hours following the National Football League draft declaration date.

Bylaws: Amend 12.2.4.2, page 67, as follows:

[Division II, Football only]

"12.2.4.2 Draft List. Subsequent to initial full-time collegiate enrollment, an individual loses amateur status in a particular sport when the individual asks to be placed on the draft list or supplemental draft list of a professional league in that sport, even though:

[12.2.4.2-(a) through 12.2.4.2-(c) unchanged.]

[12.2.4.2.1 unchanged.]

"12.2.4.2.2 Exception — National Football League (NFL) Draft. An enrolled student-athlete in football may enter the National Football League (NFL) draft one time during his collegiate career without jeopardizing eligibility in that sport, provided the student-athlete is not drafted by any team in that league and the student-athlete declares his intention to resume intercollegiate participation within 72-hours following the National Football League (NFL) draft declaration date. The student-athlete's declaration of intent shall be in writing to the institution's director of athletics."

Source: NCAA Division II Presidents Council [Management Council (Legislation Committee)].

Effective Date: Immediately.

Rationale: This proposal will provide a football student-athlete the opportunity to investigate professional sports opportunities in the National Football League (NFL) in the same manner that other college students are permitted to review professional employment options from sources outside the institution. Further, because the student-athlete is required to declare his intent to resume intercollegiate participation prior to the initial-signing period for the Na-

tional Letter of Intent, football coaches will have a better grasp on team composition in order to effectively prepare for the following football season. Please note that this proposed change is for only the sport of football and is only applicable to National Football League's draft. It is necessary that this proposal be effective immediately in order for student-athletes to be permitted to have the benefit of this legislation as soon as possible.

Action: Adopted, effective immediately.

AWARDS AND BENEFITS

NO. 35 (NO. 2-29) AWARDS AND BENEFITS — HOUSING AND MEALS — PERMISSIBLE — PRESEASON PRACTICE EXPENSES

Intent: To permit an institution to provide an additional meal to student-athletes during the preseason practice period prior to the start of the academic year.

Bylaws: Amend 16.5.1, pages 167-168, as follows:

[Division II]

“16.5.1 Permissible. Identified housing and meal benefits incidental to a student's participation in intercollegiate athletics that may be financed by the institution are:

[16.5.1-(a) unchanged.]

“(b) Preseason Practice Expenses. The institution may provide the cost of room and board to student-athletes who report for preseason practice before the start of the academic year, it being understood that the student-athlete has been accepted for admission to the institution at the time such benefits are received. **Further, an institution, at its discretion, may provide an additional meal (or cash in an amount equal to the cost of an additional meal) to student-athletes to meet their nutritional needs as a benefit incidental to participation during the preseason practice period before the start of the academic year.**”

[16.5.1-(c) through 16.5.1-(f) unchanged.]

Source: NCAA Division II Presidents Council [Management Council (Legislation Committee)].

Effective Date: August 1, 2004

Rationale: Current NCAA regulations allow for unlimited practice hours in fall sports during the preseason practice period when classes are not in session. Despite receiving three meals per day, student-athletes may still not receive sufficient nutrition to maintain their health during this physically demanding period. Under current regulations, the provision of any meal beyond three during this period would constitute an extra benefit for

student-athletes. This proposal will give an institution the discretion to provide an additional meal to benefit its student-athletes.

Action: Adopted.

**NO. 36 (NO. 2-32) AWARDS AND BENEFITS — TEAM
ENTERTAINMENT — VACATION
PERIODS**

Intent: To permit an institution to pay reasonable entertainment costs associated with required practice during vacation periods (e.g., preseason period), provided such entertainment occurs within the locale of the institution's campus or practice site and classes are not in session.

Bylaws: Amend 16.7, page 169, as follows:

[Division II]

“16.7 Team Entertainment

[16.7.1 unchanged.]

“16.7.2 Vacation Periods. An institution may pay the actual costs (but may not provide cash) for reasonable local entertainment during vacation periods when the team is required to reside on campus (or at a practice site normally used by the institution) and classes are not in session.”

[16.7.2 renumbered as 16.7.3 unchanged.]

Source: NCAA Division II Presidents Council [Management Council (Legislation Committee)].

Effective Date: August 1, 2004

Rationale: Currently, an institution is permitted to pay for reasonable entertainment in conjunction with an away-from-home contest, but not for entertainment that is associated with practice during a vacation period (e.g., preseason period). An institution should be permitted to provide reasonable local entertainment for student-athletes during those times when they are required to practice during vacation periods.

Action: Adopted.

CHAMPIONSHIPS

***NO. 37 (NO. 2-52) EXECUTIVE REGULATIONS —
CRITERIA FOR SELECTION OF
PARTICIPANTS FOR CHAMPIONSHIPS**

Intent: To eliminate unavailability due to injury as a consideration for championships selection; to require the governing sports committees to recognize official action taken by the NCAA conferences or

the member institutions in cases of ineligible student-athletes; and to require that the governing sports committees consider contests involving ineligible student-athletes as losses for the involved student-athletes' institutions and as wins for the opposing institutions.

Administrative: Amend 31.3.3.3, page 311, as follows:

[Division II, Roll Call]

“31.3.3.3 Ineligible Players on Team. The presence on a varsity squad of one or more players who are ineligible, *or unavailable due to injury*, for NCAA championships competition does not necessarily disqualify that team from consideration. **However, for contests, in which an ineligible player(s) participated (as verified through NCAA enforcement procedures), it shall be the responsibility of the governing sports committee to recognize official action taken by the NCAA, the applicable conference or the institution for which the ineligible player(s) participated as losses for the involved student-athletes' institutions and as a win for the other institution, regardless of whether official action to vacate the outcome of the contest. If such a player(s) contributed materially to the team's success during the season, the committee may choose not to select that team, based on the conclusion that without the use of the ineligible or unavailable player(s), the team would not have been able to compile the record that brought it before the committee for consideration. It shall be the responsibility of the governing sports committee to apply the criterion “contributed materially” to each case as it arises.”**

Source: North Central Intercollegiate Athletic Conference and Great Lakes Intercollegiate Athletic Conference.

Effective Date: August 1, 2004

Rationale: First, a team that earns a selection to participate in NCAA championship competition based on all other criteria should not be denied that opportunity based on an injury to one or more players, even if the injured player(s) contributed materially to the success of the team prior to the NCAA championship. Secondly, governing sports committees currently are not able to recognize official action by a conference or institutions to vacate the outcome of contests. This proposal would require the governing sports committees to act, even if there is no official action taken by a member conference, a member institution or the NCAA to vacate the outcome of a contest as long as the NCAA enforcement staff has, after all necessary due process and appeal opportunities have been exhausted, officially determined that a student-athlete competed while ineligible for any reason. Finally, selection criteria are based fundamentally on the win/loss record of institutions. When an institution competes with one or more ineligible players, not only should the governing sports committee consider the applicable contest(s) as loss(es) for the teams for which the ineligible players participated, but it also should consider the contests as wins for those institutions in order to make the opponents as whole as possible under the selection cri-

teria. It should be understood that this bylaw will help guide the sports committee in many cases, but that it will not help in all situations. Sometimes, due to an ongoing or post-season investigation, or in order to provide a student-athlete with proper due process or an appeals opportunity, an official and final determination that the student-athlete was or was not eligible may not be possible before a sports committee must make championship selections. In those cases, the sports committee must proceed in its deliberations as if the player was eligible. Also, once selections have been announced publicly by a sports committee, no changes to the selections can be made by the sports committee based on this bylaw.

Position Statement: (NCAA Division II Presidents Council, Management Council and Championships Committee): The Councils and committee oppose this proposal. The proposal in its current form, if approved, would cause irreparable damage to the championships selection process and would create unintended hardship for the membership. One of the unintended consequences of this proposal may be a reduction in the reporting of secondary violations.

Action: Withdrawn.

***NO. 38 (NO. 2-53) EXECUTIVE REGULATIONS —
INELIGIBLE PLAYERS ON TEAM —
FORFEITED CONTEST**

Intent: To require that contests or dates of competition that are forfeited by either the conference, an independent institution or the NCAA be counted as a loss for the offending team and as a win for the opponent.

Administrative: Amend 31.3.3.3, page 311, as follows:

[Division II, Roll Call]

“31.3.3.3 Ineligible Players on Team. The presence on a varsity squad of one or more players who are ineligible, or unavailable due to injury, for NCAA championships competition does not necessarily disqualify that team from consideration. If such a player(s) contributed materially to the team’s success during the season, the committee may choose not to select that team, based on the conclusion that without the use of the ineligible or unavailable player(s), the team would not have been able to compile the record that brought it before the committee for consideration. **Contests or dates of competition that are forfeited by one of the following: the conference, any four-year degree-granting collegiate institution, or the NCAA are to be counted as a loss for the offending team and as a win for the opponent. Such contests or dates of competition must be recorded as a win or loss and used by the regional advisory committees and the NCAA sports committees in evaluating whether a team should be selected for post season play.** It shall be the responsibility of the governing sports committee to apply the criterion “contributed materially” to each case as it arises.”

Source: Peach Belt Conference and Sunshine State Conference.

Effective Date: August 1, 2004

Rationale: At the present time, forfeits are not treated the same by all regional advisory committees and NCAA national sports committees. In some cases an institution may be selected for post-season play without taking into consideration that games have been forfeited by one of the aforementioned entities. This proposal, if adopted, would require that all forfeited matches receive consistent consideration.

Position Statement: (NCAA Division II Presidents Council, Management Council and Championships Committee): The Councils and committee oppose this proposal. This proposal is more stringent than the NCAA Division II Committee on Infractions' current procedures with regard to forfeited contests. Also, the proposal may lead to an inconsistent application by conferences and independents.

Action: Withdrawn.

FINANCIAL AID

NO. 39 (NO. 2-22) FINANCIAL AID — STUDENT-ATHLETE EMPLOYMENT

Intent: To exempt a student-athlete's off-campus employment earnings from both individual and institutional financial aid limits.

A. Bylaws: Amend 15.02.4.1, page 146, as follows:

[Division II]

"15.02.4.1 Institutional Financial Aid. The following sources of financial aid are considered to be institutional financial aid:

[15.02.4.1-(a) unchanged.]

"(b) Aid from government or private sources for which the institution is responsible for selecting the recipient or determining the amount of aid, or providing matching or supplementary funds for a previously determined recipient; **and**

"(c) *Off-campus employment earnings and other sources of aid for which the athletics interests of the institution intercede on behalf of the recipient; and*"

[15.02.4.1-(d) relettered as 15.02.4.1-(c) unchanged.]

B. Bylaws: Amend 15.02.4.3, page 147, as follows:

[Division II]

"15.02.4.3 Exempted Institutional Financial Aid. The following institutional financial aid is exempt and is not counted in determining a student-athlete's full grant-in-aid or cost of attendance, or in the institution's financial aid limitations:

[15.02.4.3-(a) through 15.02.4.3-(b) unchanged.]

“(c) *Employment during official vacation periods;*

“(d) *On-campus employment (including work-study program assistance);*”

[15.02.4.3-(e) and 15.02.4.3-(f) relettered as 15.02.4.3-(c) and 15.02.4.3-(d), unchanged.]

C. Bylaws: Amend 15.02.4.5, page 148, as follows:

[Division II]

“15.02.4.5 *Exempted Employment Earnings. Employment earnings of a student-athlete who has exhausted eligibility in a particular sport shall not be included when determining the permissible amount of a full grant-in-aid or the cost of attendance for a student-athlete, provided the student-athlete subsequently does not practice or compete in intercollegiate athletics.*”

D. Bylaws: Amend 15.1.1, page 148, as follows:

[Division II]

“15.1.1 Types of Aid Included in Limit. In determining whether a student-athlete’s financial aid exceeds the value of a full grant-in-aid, all institutional financial aid (per Bylaw 15.02.4.1) and all funds received from the following and similar sources shall be included:

“(a) *Off-Campus Employment. Off-campus employment during semester or term time (which is an all-inclusive period from the opening to the closing of classes of the regular semester, quarter or term) for which either athletics department staff or representatives of the institution’s athletics interests were involved in arranging the employment;*”

[15.1.1-(b) through 15.1.1-(g) relettered as 15.1.1-(a) through 15.1.1-(f), unchanged.]

E. Bylaws: Amend 15.2.6, pages 152-153, as follows:

[Division II]

“15.2.6 *Off-Campus Employment. The institution must include earnings from the student-athlete’s off-campus employment during semester or term time [per 15.1.1-(a)] in determining whether his or her full grant-in-aid has been reached. Earnings from a student-athlete’s on- or off-campus employment that occurs at any time is exempt and is not included when determining a student-athlete’s full grant-in-aid or the institution’s financial aid limitations, provided:*

“(a) **The student-athlete’s compensation does not include any remuneration for value or utility that the student-athlete may have for the employer because of the publicity, reputation, fame or personal following that he or she has obtained because of athletics ability;**

“(b) **The student-athlete is compensated only for work actually performed; and**

“(c) **The student-athlete is compensated at a rate commensurate with the going rate in that locality for similar services. (See Bylaw 12.4.)**

“15.2.6.1 Exception — Off-Campus Employment Earnings. Earnings from a student-athlete’s legitimate off-campus employment, in excess of a full grant-in-aid shall be exempt, provided neither athletics department staff members nor representatives of the institution’s athletics interests are involved in arranging the employment. Earnings from such employment by a representative of the institution’s athletics interests may be exempted, provided the student-athlete secures the employment in the same manner as other members of the general public.

“15.2.6.2 No Institutional Aid Received. A student-athlete who is not receiving institutional financial aid may earn legitimate income from off-campus employment in excess of a full grant-in-aid, provided neither members of the athletics department nor representatives of the institution’s athletics interests are involved in arranging the employment.

“15.2.6.3 Exception — Vacation Period Employment. Earnings from a student-athlete’s off-campus employment that occurs during an institutional vacation period shall be exempt from both institutional and individual financial aid limits. This includes employment arranged by either an athletics department staff member or a representative of the institution’s athletics interests.

“15.2.6.4 After Eligibility Exhausted. Employment earnings of a student-athlete who has exhausted eligibility in a particular sport shall be exempt from this limitation, provided the student-athlete subsequently does not practice or compete in intercollegiate athletics. Compensation received from an outside entity for participation in activities related to the student-athlete’s name, picture or appearance need not be included in the student-athlete’s financial aid limits, but such activities may not be arranged by athletics department staff members or representatives of the institution’s athletics interests.

“15.2.6.5 Earnings Deposited with Institution. Earnings received by a student-athlete for employment during term time are not countable against the student’s full grant-in-aid, if these earnings are:

- “(a) Deposited directly by the employer with the institution; and*
- “(b) Used by the institution as it determines; or*
- “(c) Designated by the institution for some special purpose related to athletics (e.g., payment of travel expenses of the student-athlete to represent the institution in competition).*

“15.2.6.6 Ineligible Student-Athlete. A student-athlete who is ineligible for participation in intercollegiate athletics but who is receiving institutional financial aid remains bound by the provisions of Bylaw 15.1, and any employment income must be counted in calculating his or her full grant-in-aid.”

Source: NCAA Division II Presidents Council [Management Council (Legislation Committee)].

Effective Date: August 1, 2004

Rationale: In the continued spirit of deregulation, the Legislation Committee believes that in the best interest of all student-athletes, all on- and off-campus employment earnings should be exempt from institutional and individual limits. At the 2001 NCAA Convention, the Division II membership adopted legislation, which permitted all on-campus employment earnings to be exempt from individual and team financial aid limits. Bylaws 12 and 16 continue to require a student-athlete to be paid at a commensurate rate for similar services; therefore, off-campus employment earnings also should be exempt from individual and team financial aid limits. This is a continued step in simplifying financial aid legislation and will allow student-athletes to obtain and retain employment consistent with the institutional practices for all students.

Action: Adopted.

NO. 40 (NO. 2-23) FINANCIAL AID — MAXIMUM TEAM LIMITS — EQUESTRIAN

Intent: In equestrian, to establish a maximum equivalency financial aid limit of 15.

Bylaws: Amend 15.5.2.1.2, page 157, as follows:
[Division II]

“15.5.2.1.2 Women’s Sports. There shall be a limit on the value (equivalency) of financial aid awards (per Bylaw 15.02.4.1) that an institution may provide in any academic year to counters in each women’s sport, as follows:

“**Equestrian 15**”

Source: NCAA Division II Presidents Council [Management Council (Legislation Committee)].

Effective Date: August 1, 2004

Rationale: At the 2003 Convention, the Division II membership adopted a proposal to include equestrian on the list of emerging sports for women. The Division I membership has already established an equivalency limit for equestrian at 15. Additionally, the appropriateness of the scholarship limits will continue to be monitored and any adjustments that may be necessary in the future. In order for Division II to remain competitive with Division I, the Legislation Committee believes the legislation should mirror that of Division I.

Action: Adopted.

MEMBERSHIP

NO. 41 (NO. 2-46) DIVISION MEMBERSHIP — RECLASSIFICATION — EXPLORATORY YEAR

Intent: To add an exploratory year to the beginning of the reclassification process.

Bylaws: Amend 20.5.2 by adding new 20.5.2.7, page 268, as follows:
[Division II]

“20.5.2 Requesting Reclassification

[20.5.2.1 through 20.5.2.6 unchanged.]

“20.5.2.7 Exploratory Year. An institution petitioning for change of division membership and desiring to become a member of Division II must complete a one-year exploratory period. When petitioning for change of division membership, a member shall notify the NCAA Division II Membership Committee on a form approved by the committee. The form shall be received in the national office (by mail) not later than June 15 prior to the academic year that the institution begins its one-year exploratory period. Following the completion of the exploratory period, the institution may apply to begin the reclassification process if all application requirements set forth in Bylaw 20.5 are satisfied. The member shall notify the Division II Membership Committee of its intent to begin the reclassification process on a form approved by the committee. The application shall be received in the national office (by mail) not later than June 15 after completion of the exploratory period.”

Source: NCAA Division II Presidents Council [Management Council (Membership Committee)].

Effective Date: August 1, 2004, for any institution first entering the reclassification process on or after August 1, 2004.

Rationale: In the past, institutions have begun the reclassifying process and then realized that Division II is not appropriate for the institution at that time. The Membership Committee believes that adding an exploratory year for those institutions wishing to reclassify to Division II will allow such institutions to better assess whether or not a move to Division II is appropriate prior to officially commencing the reclassification process. If an exploratory year were added, institutions would be better educated about the requirements and expectations of Division II prior to investing in the reclassification process. The proposed effective date would not require institutions already in the reclassifying process to go back and complete an exploratory year. Only institutions first entering

the reclassifying process on or after August 1, 2004 would be subject to the proposed exploratory year.

Action: Adopted.

**NO. 42 (NO. 2-47) DIVISION MEMBERSHIP —
RECLASSIFICATION — APPLICATION
FEE**

Intent: To require institutions reclassifying to Division II to pay an application fee that will be determined by the Division II Management Council on an annual basis.

Bylaws: Amend 20.5.2.4, page 268, as follows:

[Division II]

*“20.5.2.4 **Deadline for Submission of Petition Application.** When petitioning for change of division membership, a member shall notify the Association’s president on a form approved by the Executive Committee. The form shall be received in the national office (by mail or wired transmission) not later than June 1. Any form received after that date shall be postmarked not later than May 25. An institution desiring to become a reclassifying member of Division II shall apply on or before June 15 on a form available from the national office. A nonrefundable application fee shall accompany the application form. The amount of the fee will be determined annually by the Management Council based on a continual analysis of expenses associated with the reclassifying member educational assessment program.”*

Source: NCAA Division II Presidents Council [Management Council (Membership Committee)].

Effective Date: August 1, 2004, for any institution first entering the reclassification process on or after August 1, 2004.

Rationale: Currently, provisional members are required to pay an application fee of \$12,000 to cover costs incurred by the NCAA staff in administering the four-year educational process. Reclassifying members also participate in an educational program. Accordingly, the Membership Committee believes reclassifying members should be required to pay a fee to cover the expenses of the national office in conducting the reclassifying educational program. The proposed effective date would not require institutions already in the reclassifying process prior to August 1, 2004 to pay this application fee. Only institutions first entering the reclassification process on or after August 1, 2004 would be subject to this application fee.

Action: Adopted.

**NO. 43 (NO. 2-49) DIVISION MEMBERSHIP — MINIMUM
CONTESTS AND PARTICIPANT
REQUIREMENTS — EQUESTRIAN**

Intent: In equestrian, to establish minimum contests and participation requirements.

Bylaws: Amend 20.10.3.5, page 268, as follows:

[Division II]

“20.10.3.5 Minimum Contests and Participants Requirements for Sports Sponsorship. In each sport, the institution’s team shall engage in at least a minimum number of intercollegiate contests (against four-year, degree-granting collegiate institutions) each year. In the individual sports, the institution’s team shall include a minimum number of participants in each contest that is counted toward meeting the minimum-contest requirement. The following minimums are applicable:

“Individual Sport Minimum Contests Minimum Participants

“Equestrian 6 12

“(Note: The minimum-contest requirements set forth in Bylaws 20.10.3.5.1 through 20.10.3.5.8 apply only to the provisions of this section and do not apply to minimum-contest requirements in Bylaws 14 and 17.)”

Source: NCAA Division II Presidents Council [Management Council (Legislation Committee)].

Effective Date: August 1, 2004

Rationale: At the 2003 Convention, the Division II membership adopted legislation that includes equestrian on the list of emerging sports for women. It is appropriate to establish six as the minimum number of contests and 12 as the minimum number of participants necessary for the contest to count toward sports sponsorship. In order for Division II to remain competitive with Division I, the Legislation Committee believes the legislation should mirror that of Division I.

Action: Adopted.

PLAYING AND PRACTICE SEASONS

**NO. 44 (NO. 2-37) PLAYING AND PRACTICE SEASONS —
EQUESTRIAN**

Intent: In women’s equestrian, to establish the playing and practice season.

Bylaws: Amend 17 by adding new 17.8, pages 181-244, as follows:

[Division II]

“17 PLAYING SEASONS

[17.01 through 17.7 unchanged.]

“17.8 EQUESTRIAN, WOMEN’S. Regulations for computing the equestrian playing season are set forth in Bylaw 17.1, General Playing-Season Regulations. (See Figures 17-1 and 17-2.)

“17.8.1 Length of Playing Season. The length of an institution’s playing season in equestrian shall be limited to a 144-day season, which may consist of two segments (each consisting of consecutive days) and which may exclude only required off days per Bylaw 17.1.5.4 and official vacation, holiday and final-examination periods during which no practice or competition shall occur.

“17.8.2 Preseason Practice. A member institution shall not commence practice sessions in equestrian prior to September 7 or the institution’s first day of classes for the fall term, whichever is earlier.

“17.8.3 First Date of Competition. A member institution shall not engage in its first date of competition (game or scrimmage) with outside competition in equestrian prior to September 7 or the institution’s first day of classes for the fall term, whichever is earlier.

“17.8.4 End of Regular Playing Season. A member institution shall conclude all practice and competition (games and scrimmages) in each segment in equestrian by the last date of final examinations for the regular academic year.

“17.8.5 Number of Dates of Competition.

“17.8.5.1 Maximum Limitations — Institutional. A member institution shall limit its total playing schedule with outside competition in the sport of equestrian during the institution’s playing season to 15 dates of competition (games and scrimmages), except for those dates of competition excluded under Bylaw 17.1.9.

“17.8.5.1.1 In-Season Foreign Competition. A member institution may engage in one or more of its countable dates of competition in equestrian in one or more foreign countries on one trip during the prescribed playing season. However, except for competition in Canada and Mexico or on a certified foreign tour (see Bylaw 17.30), the institution may not engage in such in-season foreign competition more than once every four years.

“17.8.5.2 Maximum Limitations — Student-Athlete. An individual student-athlete may

participate in each academic year in 15 dates of competition (this limitation includes those dates of competition in which the student represents the institution in accordance with Bylaw 17.02.8, including competition as a member of the varsity, junior varsity or freshman team of the institution).

“17.8.6 Out-of-Season Athletically Related Activities. Student-athletes and members of the coaching staff shall not engage in countable athletically related activities outside the institution’s declared playing season per 17.8.1 except as permitted in Bylaws 17.1.5.2 and 17.1.5.2.1.

“17.8.6.1 Summer Practice. Practice that is organized or financially supported by a member institution shall be prohibited during the summer unless specifically authorized in the bylaws (e.g., foreign tour) or through official interpretations approved by the Management Council.

“17.8.7 Safety Exception. A coach may be present during voluntary individual workouts in the institution’s regular practice facilities (without the workouts being considered as countable athletically related activities) when the student-athlete uses equestrian equipment. The coach may provide safety or skill instruction by may not conduct the individual’s workouts.

“17.8.8 Camps and Clinics. There are no limits on the number of student-athletes in equestrian who may be employed (e.g., as counselors) in camps or clinics (see Bylaw 13.13). Currently enrolled student-athletes may not participate as campers in their institution’s camps or clinics.

“17.8.9 Other Restrictions.

“17.8.9.1 Noncollegiate Amateur Competition.

“17.8.9.1.1 During the Academic Year. A student-athlete in the sport of equestrian who participates during the academic year as a member of any outside equestrian team in any noncollegiate, amateur competition (e.g., tournament play, exhibition games or other activity) except while representing the institution in intercollegiate equestrian competition shall be ineligible for intercollegiate equestrian competition for the remainder of the year and the next academic year (see Bylaw 14.7.3 for exceptions and waivers).

“17.8.9.1.1.1 Vacation-Period Exception.

A student-athlete may compete outside the institution's declared playing and practice season as a member of an outside team in any noncollegiate, amateur competition during any official vacation period published in the institution's catalog.

"17.8.9.1.2 Out of Season. There are no limits on the number of student-athletes with eligibility remaining in intercollegiate equestrian who may practice or compete out of season on an outside, amateur equestrian team (competition on an outside team permitted only during the summer, except as provided in Bylaw 17.8.9.1.1.1).

"17.8.9.1.2.1 Involvement of Coaching Staff. No member of the coaching staff of a member institution may be involved in any capacity (e.g., coach, official, player or league/team administrator) at any time (i.e., during the academic year, vacation periods and summer) with an outside team that involves any student-athlete with remaining eligibility from that institution's equestrian team except as provided under Bylaws 14.7.3 and 17.30.

"17.8.9.1.2.2 Olympic and National Team Development Program. There are no limits on the number of student-athletes from the same institution who may participate in Olympic and national team development programs. Such programs may also include a coach and student-athlete from the same institution.

"17.8.9.2 Equipment Issue, Squad Pictures. It shall be permissible to designate a single date for issuing equestrian equipment and for taking squad pictures following the beginning of classes in the fall term or the day prior to the beginning of a segment as specified in Bylaw 17.8.2.

"17.8.9.2.1 Exception for Sundays. If the day prior to the beginning of a segment is Sunday, the member institution may designate the preceding Saturday for issuing equipment and taking squad pictures."

[17.8 through 17.32 renumbered as 17.9 through 17.33, unchanged.]

Source: NCAA Division II Presidents Council [Management Council (Legislation Committee)].

Effective Date: August 1, 2004

Rationale: At the 2003 NCAA Convention, the Division II membership adopted a proposal to include equestrian on the list of emerging sports for women. The Division I membership has already established a playing and practice season for the sport of equestrian that includes a 144-day season, which consists of two segments and a start date for practice and competition as September 7 or the institution's first day of classes for the fall term, whichever is earlier. The playing and practice season regulations for equestrian should mirror that of Division I for competitive equity reasons and it is consistent with other individual sport's playing and practice season legislation.

Action: Adopted.

***NO. 45 (NO. 2-38) PLAYING AND PRACTICE SEASONS —
DEFINITIONS AND APPLICATIONS —
VOLUNTARY ATHLETICALLY RELATED
ACTIVITIES**

Intent: To establish a definition of voluntary athletically related activity, as specified.

Bylaws: Amend 17.02 by adding new 17.02.14, pages 181-183, as follows:

[Division II, Roll Call]

“17.02 Definitions and Applications

[17.02.1 through 17.02.13 unchanged]

“17.02.14 Voluntary Athletically Related Activities. In order for any athletically related activity to be considered “voluntary,” all of the following conditions must be met:

“(a) The student-athlete must not be required to report back to a coach or other athletics department staff member (e.g., strength coach, trainer, manager) any information related to the activity. In addition, no athletics department staff member who observes the activity (e.g., strength coach, trainer, manager) may report back to the student-athlete's coach any information related to the activity;

“(b) The activity must be initiated and requested solely by the student-athlete. Neither the institution nor any athletics department staff member may require the student-athlete to participate in the activity at any time. However, it is permissible

for an athletics department staff member to provide information to student-athletes related to available opportunities for participating in voluntary activities (e.g., times when the strength and conditioning coach will be on duty in the weight room or on the track). In addition, for students who have initiated a request to engage in voluntary activities, the institution or an athletics department staff member may assign specific times for student-athletes to use institutional facilities for such purposes and inform the student-athletes of the time in advance;

“(c) The student-athlete’s attendance and participation in the activity (or lack thereof) may not be recorded for the purposes of reporting such information to coaching staff members or other student-athletes; and

“(d) The student-athlete may not be subjected to penalty if he or she elects not to participate in the activity. In addition, neither the institution nor any athletics department staff member may provide recognition or incentives (e.g., awards) to a student-athlete based on his or her attendance or performance in the activity.

[Note: Coaching staff members may be present during permissible skill-related instruction requested by the student-athlete pursuant to Bylaw 17.1.5.2.1]”

Source: NCAA Division II Presidents Council [Management Council (Student-Athlete Advisory Committee)].

Effective Date: August 1, 2004

Rationale: At the request of the Division II Management Council, the Student-Athlete Advisory Committee reviewed the current Division I definition of voluntary athletically related activity to determine if the concept as stated was appropriate as applied for Division II. The Student-Athlete Advisory Committee believes the proposed definition of voluntary athletically related activities will assist institutions and will simplify the legislation.

Action: Adopted, 231-6-3.

**NO. 46 (NO. 2-39) PLAYING AND PRACTICE SEASONS —
BASKETBALL — FIRST CONTEST —
EXCEPTIONS**

Intent: In basketball, to specify that the first permissible date for exhibition contests against non-Division II four-year collegiate institutions and for scrimmages is the first permissible starting date for practice.

A. Bylaws: Amend 17.1.9.2, page 183, as follows:

[Division II]

“17.1.9.2 Discretionary Exemptions — Sports Other Than Football. In sports other than football, the following may be exempted from an institution’s maximum number of contests or dates of competition each year. An institution may exempt no more than three of the following from this list annually:

[17.1.9.2-(a) and 17.1.9.2-(b) unchanged.]

“(c) Non-Division II Four-Year Collegiate Institution — Basketball. An exhibition contest against a non-Division II four-year collegiate institution played between *November 1 the first permissible date for practice* and the first permissible contest date; and”

[Remainder of 17.1.9.2 unchanged.]

B. Bylaws: Amend 17.5.3.1, page 196, as follows:

[Division II]

“17.5.3.1 Exceptions. The following basketball contests (games or scrimmages) are permitted before the first contest dates specified under Bylaw 17.5.3:

“(a) *Practice Scrimmages. Informal practice s*Scrimmage(s) per 17.1.9.2-(d) may be conducted between *November 1 the first permissible date for practice* and the conclusion of the basketball season;

[17.5.3.1-(b) and 17.5.3.1-(c) unchanged.]

“(d) Non-Division II Four-Year Collegiate Institution. An exhibition contest against a non-Division II four-year collegiate institution exempted per Bylaw 17.1.9.2-(c) must be played between *November 1 the first permissible date for practice* and the first permissible contest date.”

Source: Great Lakes Valley Conference and Northeast-10 Conference.

Effective Date: August 1, 2004

Rationale: Allowing teams to schedule exhibition contests against non-Division II four-year collegiate institutions (e.g., NAIA) and scrimmages after the first permissible date for practice will create more opportunities for institutions to compete against non-Division II opponents. Many two-year colleges and NAIA institutions begin their regular season earlier than NCAA institutions begin competition and may not be available to schedule contests after November 1. Establishing an earlier permissible date for these contests will provide coaches more flexibility in preparing their teams for the upcoming season.

Position Statement: (NCAA Division II Presidents Council, Management Council and Legislation Committee): The Councils and committee support this proposal. The proposal creates more opportunities for institutions to compete against non-Division II opponents and provides greater flexibility for institutions to prepare their team for the upcoming season.

Action: Adopted.

**NO. 47 (NO. 2-40) PLAYING AND PRACTICE SEASONS —
CONTESTS IN HAWAII, ALASKA OR
PUERTO RICO — BASKETBALL**

Intent: In basketball, to permit an institution, once every four years, to exempt a maximum of four contests from its maximum number of contests during a single trip to Alaska, Hawaii or Puerto Rico.

Bylaws: Amend 17.1.9.4, page 183, as follows:

[Division II]

“17.1.9.4 Contests in Hawaii, Alaska or Puerto Rico — Basketball. In the sport of basketball, once every four years, an institution may exempt from its maximum contest limits *one a maximum of four* contests *or tournament (not to exceed four contests)* **during a single trip to played in** Hawaii, Alaska or Puerto Rico.”

Source: Great Northwest Athletic Conference and Pacific West Conference.

Effective Date: August 1, 2004

Rationale: Two bylaws in the 2001-02 Division II Manual underwent modification during the deregulation of Bylaw 17. The first was Bylaw 17.5.5.3.1 (Alaska/foreign tour) and the other was Bylaw 17.5.5.3.2 (Hawaii or Puerto Rico/foreign team in Canada). These two bylaws were organized to be Bylaw 17.1.9.3 (foreign tours) and Bylaw 17.1.9.4 (contests in Hawaii, Alaska, or Puerto Rico - basketball). During deregulation restrictive language was adopted that altered Alaska's exemption, reducing it from four contests to one contest or one tournament (not to exceed four contests). Scheduling teams to visit Alaska presents special challenges due to geography and weather. It is more attractive and more flexible to schedule four contests between Alaska's two intercollegiate programs than to schedule and host a tournament. The deregulation of Bylaw 17 was not meant to add restrictions, but to simplify the legislation. The sponsors of this proposal believe that the proposed changes achieve this.

Position Statement: (NCAA Division II Presidents Council, Management Council and Legislation Committee): The Councils and committee support this proposal. With the deregulation of Bylaw 17, it was not the intent of the Councils and committee to add restrictions to the legislation. This proposal provides greater flexibility for institutions who wish to travel to Hawaii, Alaska and Puerto Rico.

Action: Adopted.

***NO. 48 (NO. 2-41) PLAYING AND PRACTICE SEASONS —
FIRST DATE OF PRACTICE —
CHAMPIONSHIP SEGMENT**

Intent: In cross country, field hockey, soccer and women's volleyball, to establish the first permissible start date for practice in the championship segment as 17 days prior to the first permissible date for competition.

A. Bylaws: Amend 17.7.2, page 196, as follows:

[Division II, Roll Call]

"17.7.2 First Date of Practice — Championship Segment. A member institution shall not commence practice sessions in cross country in the championship segment before *August 10 or the first day of class, whichever occurs earlier* **17 days prior to the first permissible date of competition.**"

B. Bylaws: Amend 17.10.2, page 200, as follows:

[Division II, Roll Call]

"17.10.2 First Date of Practice — Championship Segment. A member institution shall not commence practice sessions in field hockey in the championship segment before *August 10 or the first day of class, whichever occurs earlier* **17 days prior to the first permissible date of competition.**"

C. Bylaws: Amend 17.19.2, page 221, as follows:

[Division II, Roll Call]

"17.19.2 First Date of Practice — Championship Segment. A member institution shall not commence practice sessions in soccer in the championship segment before *August 10 or the first day of class, whichever occurs earlier* **17 days prior to the first permissible date of competition.**"

D. Bylaws: Amend 17.27.2.2, page 240, as follows:

[Division II, Roll Call]

"17.27.2.2 First Date of Practice — Championship Segment — Women. A member institution shall not commence practice sessions in women's volleyball in the championship segment before *August 10 or the first day of class, whichever occurs earlier* **17 days prior to the first permissible date of competition.**"

Source: Great Lakes Intercollegiate Athletic Conference and North Central Intercollegiate Athletic Conference.

Effective Date: August 1, 2004

Rationale: In cross country, field hockey, soccer and women's volleyball, current legislation identifies a date, rather than a time period, for determining the first practice opportunity. As a result, depending on the calendar year, the practice period varies by length and by the day of the week practice commences. This proposal seeks to identify a consistent time period of 17 days of practice for the fall sports of cross country, field hockey, soccer, and women's volleyball.

The first date of competition for fall sports is a consistent day of the week (Thursday). By using that date as a starting point, this proposed change will result in greater predictability and consistency since the preseason practice period always will be the same length of time (17 days) and always will commence on a Monday (17 days prior to the Thursday preceding September 1). Student-athletes and their families also will benefit from this proposed change. By identifying a start date that consistently falls on a Monday, student-athletes and their families have the benefit of the weekend to transport themselves and their belongings prior to the commencement of practice. Finally, this change will allow programs to maintain a consistent preseason-training program and period of time for preseason practice from season to season.

Position Statement: (NCAA Division II Presidents Council, Management Council and Legislation Committee): The Councils and committee did not take positions on this proposal.

Action: Adopted, 175-67-4.

NO. 49 (NO. 2-42) PLAYING AND PRACTICE SEASONS — ANNUAL EXEMPTIONS

Intent: In field hockey and soccer, to eliminate the additional scrimmages/exhibition games that may be played before the first scheduled contest and are counted against the maximum number of contests.

A. Bylaws: Amend 17.10.7.1, page 204, as follows:

[Division II]

“17.10.7.1 Maximum Limitations — Institutional. A member institution shall limit its total playing schedule with outside competition in the sport of field hockey during the institution’s field hockey playing season in any one year to 20 contests during the segment in which the NCAA championship is conducted and five dates of competition during another segment, except for those contests or dates of competition excluded under Bylaw 17.1.9.

“17.10.7.1.1 Scrimmages/Exhibition Games. A member institution may play one field hockey scrimmage or exhibition game (which shall not count toward the institution’s win-loss record) before the first scheduled contest during a particular academic year, provided the scrimmage or exhibition game is conducted during the institution’s declared playing season per Bylaw 17.10.1 (including the preseason practice period) and is counted against the maximum number of contests.”

[17.10.7.1.2 renumbered as 17.10.7.1.1 unchanged.]

B. Bylaws: Amend 17.19.7.1, page 221, as follows:

[Division II]

“17.19.7.1 Maximum Limitations — Institutional. A member institution shall limit its total playing schedule with outside competition in the sport of soccer during the institution’s soccer playing

season in any one year to 20 contests during the segment in which the NCAA championship is conducted and five dates of competition during another segment, except for those contests and/or dates of competition excluded under Bylaw 17.1.9.

“17.19.7.1.1 Scrimmages/Exhibition Games. A member institution may play up to three soccer scrimmages or exhibition games (which shall not count toward the institution’s win-loss record) before the first scheduled contest during a particular academic year, provided such scrimmages or exhibition games are conducted during the institution’s declared playing season per Bylaw 17.19.1 and are counted against the maximum number of contests.”

[17.19.7.1.2 renumbered as 17.19.7.1.1 unchanged.]

Source: NCAA Division II Presidents Council [Management Council (Legislation Committee)].

Effective Date: August 1, 2004

Rationale: At the 2002 NCAA Convention, the Division II membership adopted legislation that created consistency among the sports for playing and practice seasons. Bylaw 17.19.7.1.1, which permits an institution in the sport of field hockey to conduct one scrimmage or exhibition prior to the first contest date provided it is counted against the maximum number of contests was overlooked. In addition, Bylaw 17.10.7.1.1, which permits three scrimmages or exhibitions in soccer prior to the first regularly scheduled contest provided they are counted against the maximum number of contests was not eliminated at that time. The result is that field hockey and soccer are permitted additional scrimmage/exhibition opportunities not intended by the committee’s deregulation proposal at the 2002 Convention. It was the Legislation Committee’s intent to create a list of annual and discretionary exemptions, which would provide all sports the same number of scrimmage/exhibition opportunities.

Action: Adopted.

NO. 50 (NO. 2-44) PLAYING AND PRACTICE SEASONS — FOOTBALL SPRING PRACTICE — CONDITIONING ACTIVITIES AND/OR REVIEW OF GAME FILM

Intent: In football, during the spring practice period, to specify that an institution is not required to count as one of its 15 designated days, any day during which countable athletically related activities are limited solely to required conditioning activities and/or review of video/film.

Bylaws: Amend 17.11.8, page 204, as follows:

[Division II, football only]

“17.11.8 Out-of-Season Athletically Related Activities. Student-athletes and members of the coaching staff shall not engage in

countable athletically related activities outside the playing season, except for the following:

[17.11.8-(a) unchanged.]

“(b) Spring Practice. Fifteen postseason practice sessions (including intrasquad scrimmages) and the spring game are permissible, provided they are conducted within a period of 29 consecutive calendar days, omitting vacation and examination days officially announced on the institution’s calendar and days during which the institution is closed due to inclement weather. **An institution is not required to count as one of its 15 designated days any day during which countable athletically related activities are limited solely to required conditioning activities and/or review of video/film.** Any such practice sessions held during vacation days may not be of longer duration than those normally held when academic classes are in session. Only 12 of the 15 sessions may involve contact, and such contact shall not occur before the third practice session. The noncontact practice sessions may involve headgear as the only piece of protective equipment. Of the 12 permissible contact sessions, eight sessions may involve tackling, and no more than three of the eight tackling sessions may be devoted primarily (greater than 50 percent of practice time) to 11-on-11 scrimmages. Tackling shall be prohibited in four of the 12 contact sessions. An institution has the discretion to determine the practice activities (other than tackling) that may occur during the four contact nontackling sessions as well as the protective equipment to be worn by the student-athletes. If an institution conducts a “spring game” per Bylaw 17.1.9.1-(j), the game shall be counted as one of the three sessions that can be devoted primarily to 11-on-11 scrimmages. A student-athlete’s participation in countable athletically related activities (see Bylaw 17.02.1.1) during the spring practice period shall be limited to a maximum of four hours per day and 20 hours per week.”

Source: Lone Star Conference and Mid-America Intercollegiate Athletic Association.

Effective Date: Immediately.

Rationale: The proposal permits Division II institutions to meet on off-days to view video/film and/or engage in required conditioning activities during spring football practice and the institution would not be required to count the day as one of its 15 designated days. The ability to view video/film and/or engage in required conditioning activities on off-days does not increase the limitation on the number of hours per week of countable athletically-related activity because these hours will be counted in that limitation. Presently, teams meet on days in which they practice to view video/film of the previous practice. This adds more hours

onto an already long day and is a bigger inconvenience for student-athletes than meeting for an hour in the afternoon on off days. When the 20 hours per week are used should not matter. Division I has adopted this legislation to permit institutions to meet on off-days to view video/film during spring football practice. This proposal has an immediate effective date, in order for institutions to take advantage of this legislation for spring football practice in 2004.

Position Statement: (NCAA Division II Presidents Council, Management Council and Legislation Committee): The Councils and committee did not take positions on this proposal.

Action: Moot, due to an existing interpretation.

RECRUITING

NO. 51 (NO. 2-12) RECRUITING — NUMBER OF OFFICIAL VISITS — PROSPECT LIMITATION — TO DIVISION III INSTITUTIONS

Intent: To exclude official visits to NCAA Division III institutions from a prospective student-athlete's five-expense paid visit limitation.

A. Bylaws: Amend 13.7.1.2, page 87, as follows:

[Division II]

“13.7.1.2 Number of Official Visits — Prospect Limitation. A prospect may take a maximum of five expense-paid visits, with no more than one permitted to any single institution. This restriction applies regardless of the number of sports in which the prospect is involved **and only for expense-paid visits to Divisions I and II institutions.**”

B. Bylaws: Amend 13.7.1.3, pages 87-88, as follows:

[Division II]

“13.7.1.3 Post-High-School Visits. The one-visit limitation applies to the period in which the prospect is in high school and to the period beginning September 1 after the prospect's completion of high school. The limitations (**see Bylaw 13.7.1.2**) apply separately to the period in which the prospect is in high school and to the period beginning September 1 after the prospect's completion of high school. Thus, a prospect may be provided a maximum of 10 official visits — five while in high school and five beginning September 1 after the prospect's completion of high school.”

Source: NCAA Division II Presidents Council [Management Council (Legislation Committee)].

Effective Date: August 1, 2004

Rationale: Division III, unlike Divisions I and II, does not limit the

number of official visits that may be taken by a prospective student-athlete. The five-visit limitation includes visits taken to Division III institutions. Thus, if a prospective student-athlete takes official visits to Division III institutions that result in him or her exceeding five total official visits, the prospective student-athlete's eligibility will be adversely affected if he or she enrolls at an Division I or II institution. Further, the current rule may discourage prospective student-athletes from taking official visits to Division III institutions. This proposal should have no significant impact on the Division II recruiting process.

Action: Adopted.

NO. 52 (NO. 2-13) RECRUITING — TRYOUTS — WRITTEN PERMISSION

Intent: To eliminate the requirement that an institution must obtain written permission from the high-school athletics director as a condition for conducting a tryout of a prospective student-athlete.

Bylaws: Amend 13.12.2.1, pages 97-98, as follows:

[Division II]

“13.12.2.1 Tryouts. A member institution may conduct a tryout of a prospect only on its campus or at a site at which it normally conducts practice or competition and only under the following conditions (see Bylaw 17.02.12 for tryouts of currently enrolled students):

[13.12.2.1-(a) unchanged.]

“(b) The tryout may be conducted only for high-school seniors who are enrolled in a term other than the term in which the traditional season in the sport occurs or who have completed high-school eligibility in the sport *and written permission has been obtained from the high school's athletics director*; for a two-year college student, after the conclusion of the sport season, and for a four-year college student, after the conclusion of the sport season, provided written permission to contact the prospect (per Bylaw 13.1.1.32) has been obtained;”

[13.12.2.1-(c) through 13.12.2.1-(g) unchanged.]

Source: NCAA Division II Presidents Council [Management Council (Legislation Committee)].

Effective Date: Immediately.

Rationale: Current legislation requires an institution to obtain the written permission of the high-school athletics director as one of the conditions for conducting a permissible tryout of a prospective student-athlete. The necessity for the written permission requires additional paperwork and is an administrative burden on the institution conducting the tryout. Moreover, many times

a prospect arrives for a tryout without the written permission and then is unable to participate. This proposal is consistent with the Legislation Committee's deregulation effort because it eliminates unnecessary compliance paperwork and reduces an administrative burden on the institution. This proposal has an immediate effective date so as to effect the most immediate opportunity for tryouts.

Action: Adopted, effective immediately.

**NO. 53 (NO. 2-15) RECRUITING — NONINSTITUTIONAL
CAMPS AND CLINICS — ATHLETICS
STAFF MEMBERS**

Intent: To retain the current distinction between institutional and noninstitutional, private camps/clinics, while permitting institutional staff members in all sports to serve in any capacity at a noninstitutional, private camp/clinic that operates in accordance with the same restrictions applicable to institutional camps/clinics; further, to specify that institutional coaching staff members in the sports of basketball and football may serve in any capacity at a noninstitutional, private basketball or football camp at which prospects of either gender participate that is conducted only during the institution's summer vacation period and is operated in accordance with restrictions applicable to institutional camps/clinics; additionally, to establish an exception to permit a member institution's athletics department staff member to be involved in a noninstitutional sports camp or clinic, as specified.

A. Bylaws: Amend 13.13.2.3 by adding new 13.13.2.3.2, pages 98-99, as follows:

[Division II]

"13.13.2.3 Athletics Staff Members. A member institution's athletics staff member may be involved in sports camps or clinics unless otherwise prohibited in this section.

[13.13.2.3.1 unchanged.]

"13.13.2.3.2 Other Noninstitutional Privately Owned Camps/Clinics. An institution's athletics department personnel may serve in any capacity (e.g., counselor, guest lecturer, consultant) in a noninstitutional, privately owned camp or clinic, provided the camp or clinic is operated in accordance with restrictions applicable to institutional camps (e.g., open to any and all entrants, no free or reduced admission to or employment of athletics award winners). In the sports of football and basketball, participation in such camps/clinics is limited to the institution's summer-vacation period.

"13.13.2.3.2.1 Exception. An institution's athletics department personnel may serve in any capacity

at a noninstitutional camp or clinic conducted under the following conditions:

- “(a) The camp or clinic is designed to develop fundamental skills in a sport (rather than refine the abilities of skilled participants in the sport);**
- “(b) The camp or clinic is open to the general public (except for restrictions in age or number of participants);**
- “(c) The camp or clinic is conducted primarily for educational purposes and does not include material benefits for the participants (e.g., awards, prizes, merchandise, gifts);**
- “(d) Participants do not receive a recruiting presentation; and**
- “(e) All participants reside in the state in which the camp/clinic is located or within 100 miles of the camp/clinic.”**

B. Bylaws: Amend 13.13.3, page 99, as follows:

[Division II]

“13.13.3 FCA and AIA Camps and Conferences, NYSP and YES Clinics. Camps, clinics and conferences conducted by the Fellowship of Christian Athletes, Athletes in Action or as part of the National Youth Sports Program (NYSP) and Youth Education through Sports (YES) program are exempt from NCAA restrictions on camps and clinics.”

C. Bylaws: Amend 13.13.4, page 99, as follows:

[Division II]

“13.13.4 Privately Owned Camp. An institution’s athletics department personnel may not serve in any capacity (e.g., guest lecturer, consultant) in a privately owned camp, clinic or coaching school in which a high-school, preparatory school or two-year college athletics award winner is employed.

“13.13.4.1 Payment of Expenses. It is not permissible for a representative of an institution’s athletics interests to pay a prospect’s expenses to attend a privately owned sports camp, clinic or coaching school.

“13.13.4.2 Advertisements. Restrictions related to the advertising of private camps or clinics involving student-athletes are set forth in Bylaw 12.5.1.7.”

Source: NCAA Division II Presidents Council [Management Council (Legislation Committee)].

Effective Date: August 1, 2004

Rationale: In the spirit of deregulation, there should be consistent, uniform regulations regarding the employment of institutional athletics department personnel in both institutional and nonin-

stitutional, private camps and clinics. Athletics department staff members (e.g., coaches) should be able to seek employment opportunities in noninstitutional, private camps or clinics, provided such camps or clinics are conducted in a similar manner to institutional camps or clinics. It should be noted that such restrictions relate only to the employment of such personnel and do not permit such individuals to engage in activities contrary to current recruiting rules. Further, camps or clinics that are educationally and/or spiritually motivated (i.e., not geared toward skill development) should not be subject to the same restrictions (e.g., no free or reduced admissions, no employment of athletics award winners, not conducted during a dead period) as institutional and other private camps or clinics. The restrictions specified in this proposal are similar to the requirements for the developmental clinic exception to the tryout rule. Such restrictions are designed to eliminate or minimize recruiting advantages.

Action: Adopted.

GENERAL

NO. 54	RESOLUTION — CHAMPIONSHIPS — CRITERIA FOR SELECTION OF PARTICIPANTS
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[Division II]

“Whereas, the NCAA Bylaw 31.3.3 states that the following criteria shall be employed by a governing sports committee in selecting participants for NCAA championships competition, and a governing sports committee that wishes to use additional criteria must obtain NCAA Division II Championships Committee approval before doing so: won-lost record; strength of schedule; and eligibility and availability of student-athletes for NCAA championships.

“Whereas, the NCAA Bylaw 31.3.3.3 states that presence on a varsity squad of one or more players who are ineligible, or unavailable due to injury, for NCAA championships competition does not necessarily disqualify that team from consideration. If such a player(s) contributed materially to the team’s success during the season, the committee may choose not to select that team, based on the conclusion that without the use of the ineligible or unavailable player(s), the team would not have been able to compile the record that brought it before the committee for consideration. It shall be the responsibility of the governing sports committee to apply the criterion “contributed materially” to each case as it arises.

“Whereas, the Championships Committee recently completed a review of two membership-sponsored proposals that focus on modifying Bylaw 31.3.3.3. The Championships Committee concluded that the two proposals in their current form, if approved,

would cause irreparable damage to the championships selection process and would create unintended hardship for the membership.

“Whereas, Proposal No. 37 attempts to prohibit a sports committee’s ability to evaluate the status of a player(s) for selection due to injury or illness. Secondly, the proposal as stated would “require the governing sports committees to act, even if there is no official action taken by a member conference, a member institution or the NCAA to vacate the outcome of a contest as long as the NCAA enforcement staff has, after all necessary due process and appeal opportunities have been exhausted, officially determined that a student-athlete competed while ineligible for any reason.” Further, it states that “Governing sports committee consider that applicable contest(s) as loss(es) for the teams for which the ineligible player participated, but it also should consider the contests as wins for those institutions in order to make the opponents as whole as possible under the selection criteria.”

“Whereas, Under Proposal No. 37, the sports committee would receive information regarding potential violations that were not part of its current responsibility as a committee. Further, it may have significant ramifications for the membership regarding the reporting of violations. Example: A student-athlete from Institution A completes the regular season as a member of his football team. He is the third-string running back and has played sparingly on special teams. The institution has been informed that during the regular season this student-athlete received a meal valued at \$11 by a booster of the school, which is a violation of the extra benefit legislation. The institution contacts the NCAA and it is deemed that the student-athlete is ineligible for competition until he repays the \$11. The student-athlete repays the money and is reinstated. Further, it was determined that this secondary infraction took place at the beginning of the season. According to the proposal, the team would have to forfeit all of its contests, consequently disqualifying the team for post-season competition. One of the unintended consequences of this proposal may be a reduction in the reporting of secondary violations.

“Whereas, Proposal No. 38 requires governing sports committees to evaluate forfeiture of an athletics contest by a conference, individual institution or the NCAA as a loss when evaluating teams for selections. This proposal is more stringent than the NCAA Division II Committee on Infraction’s current procedures with regard to forfeited contests. The sponsors of the proposals indicate that “all forfeited matches receive consistent consideration.” However, it may lead to an inconsistent application by conferences and independents. With the diversity of the membership, each conference and independent institution has the autonomy to determine what contest should be forfeited and this procedure may differ from region to region. Example: A student-athlete from Institution B has been deemed ineligible due to a

violation of NCAA rules. The school determines that it should forfeit the contest in which the student-athlete competed prior to the determination of a violation. The institution provides information to the NCAA enforcement staff and requests an investigation into the matter. After the investigation it was determined that the infraction was secondary in nature and would not merit forfeits in competition. According to this proposal, all games must be considered forfeits for selections.

“Whereas, the Championships Committee acknowledges that the issues brought to the membership need to be studied.

“Now, Therefore, Be It Resolved, that a Division II project team be developed to evaluate the issues brought to the membership in Proposal Nos. 37 and 38. Further, that the group studying the issue have broad-based participation by the membership, including, but not limited to, members of the NCAA Division II Presidents Council, NCAA Division II Management Council, Championships Committee and Committee on Infractions. Conference commissioners, coaches and student-athletes shall also be included. The findings of this group will be shared with the membership by the 2005 NCAA Convention.”

Source: NCAA Division II Presidents Council [Management Council (Championships Committee)].

Action: Adopted.

DIVISION III LEGISLATIVE PROPOSALS

The NCAA Division III Presidents Council has determined that it will deal primarily with those national issues in Division III athletics that prompt widespread concern among Division III chief executive officers.

Legislative proposals developed by the Division III Management Council or by Division III committees reporting to it must be submitted to the Division III Presidents Council for review. They cannot be placed on the agenda for consideration at the Convention unless the Presidents Council agrees to sponsor them. This procedure was established to affirm presidential control of intercollegiate athletics in Division III.

The Division III Presidents Council has identified those proposals that it believes are of particular interest to Division III chief executive officers and has included them in the Presidents Council grouping. It should be noted, however, that inclusion of proposals in the Presidents Council grouping does not necessarily constitute a position by the Division III Presidents Council for or against a proposal. Those proposals with an asterisk before the proposal number have been identified by the Presidents Council as roll-call votes. Delegates should refer to each proposal's source line for information regarding the sponsor of each proposal.

Pursuant to Constitution 5.3.12, all amendments shall become effective not earlier than the first day of August following adoption at the NCAA Convention; however, if a voting delegate wishes to propose an immediate effective date, or to propose any other effective date before the first day of August, the proposal rationale statement shall contain reasons for the alternate effective date.

PRESIDENTS COUNCIL GROUPING

***NO. 55 (NO. 2-58) FINANCIAL AID — ATHLETICS ENDOWMENTS**

Intent: To prohibit an institution from using in its financial aid budget, income from endowment funds specifically designated for student-athletes and received by the institution prior to January 1, 1979.

Bylaws: Amend 15.01.5, page 105, as follows:

[Division III, roll call]

“15.01.5 Athletics Funds or Endowments. No part of an institution's financial aid budget shall be set aside either for particular sports or for athletics in general, nor may an institution establish athletically related quotas of financial aid recipients. However, income from endowment funds that were received by the institution prior to January 1, 1979, and specifically designated for student-athletes can be awarded to student-athletes, provided

the institution complies with the requirements set forth in Bylaw 15.4.1.”

Source: NCAA Division III Presidents Council [Management Council (Joint Subcommittee on the Future of Division III)].

Effective Date: August 1, 2008

Rationale: Elimination of endowment funds specifically designated for student-athletes in financial aid budgets is consistent with the Division III philosophy of prohibiting the awarding of athletically related financial aid to any student. This legislated exception to the financial aid requirements was adopted over 20 years ago and is no longer necessary. Further, it does not appear to be used by a significant number of institutions. A limited number of institutions provide the ability of being able to offer financial aid to its student-athletes from a pool of funds not available to institutions that did not have athletics funds or endowments established prior to January 1, 1979. The existing legislation is confusing and often misunderstood to permit athletics aid at affected schools. In addition, the delayed effective date provides reasonable notice for all institutions to address issues related to endowed funds and will not negatively impact any student-athletes currently receiving the benefits of such funds. Further, the funds may still be designated to support other athletics budgetary needs.

Action: Adopted, 414-3-3.

***NO. 56 (NO. 2-59) FINANCIAL AID — ANNUAL
ELECTRONIC REPORTING PROCESS**

Intent: To require an institution to compare financial aid packaging for freshmen and transfer student-athletes with the aid packages awarded to other freshmen and transfer students via an annual electronic reporting process.

Bylaws: Amend 15.4.1 by adding new 15.4.1.1, page 109, as follows:
[Division III, roll call]

“15.4.1 Consistent Financial Aid Package. The composition of the financial aid package offered to a student-athlete shall be consistent with the established policy of the institution’s financial aid office for all students and shall meet all of the following criteria:

- “(a) A member institution shall not consider athletics ability as a criterion in the formulation of the financial aid package;
- “(b) The financial aid procedures used for a student-athlete are the same as the existing official financial aid policies of the institution;
- “(c) The financial aid package for a particular student-athlete cannot be clearly distinguishable from the general pattern of all financial aid for all recipients at the institution; and

“(d) The percentage of the total dollar value of institutionally administered grants awarded to student-athletes shall be closely equivalent to the percentage of student-athletes within the student body. A differential is defensible if it can be demonstrated that the average need of the student-athletes at the institution is equivalently greater than the average need of other students.

“15.4.1.1 Annual Electronic Report. An institution shall submit an annual electronic report which includes data regarding the financial aid packages awarded by the institution to freshmen and incoming transfer student-athletes and to other incoming students. The format of the electronic report shall be established by the Financial Aid and Awards Committee and approved by the Management Council.”

Source: NCAA Division III Presidents Council [Management Council (Joint Subcommittee on the Future of Division III) (Financial Aid Reporting Task Force)].

Effective Date: August 1, 2005

Rationale: The principle of no athletics aid is a fundamental tenet of the Division III philosophy. This proposal will establish an annual electronic reporting process to permit member schools to more clearly determine their compliance with that philosophy and related legislative requirements in Bylaw 15, while minimizing the associated administrative burden and cost. The report will compare the financial aid packages of freshmen and incoming transfer student-athletes at each institution with a comparable group of nonstudent-athletes. The compilation of data will occur electronically and data submission will be Web-based. Proposed submission procedures reflect feedback from members of the financial aid community as well as member conferences that currently engage in similar reporting efforts. This legislation is responsive to the membership survey conducted on the future of Division III, in which 64 percent of respondents supported the establishment of a financial aid reporting process. The delayed effective date allows for the implementation of a division-wide pilot during the fall of 2004, and permits the modification of reporting criteria and procedures, if necessary, prior to full implementation in 2005.

Action: Adopted, 356-61-4.

***NO. 57 (NO. 2-56) ELIGIBILITY — DETERMINING
SEASON OF ELIGIBILITY — MINIMUM
AMOUNT OF PARTICIPATION**

Intent: To specify that a student-athlete will be charged with a season of participation if he or she practices or competes during or after the first contest following the student-athlete's initial athletics participation at the institution.

A. Bylaws: Amend 14.2, page 93, as follows:

[Division III, roll call]

[Note: This proposal is presented in nontraditional format. Revisions will be made to the appropriate bylaws to reflect the change from “seasons of competition” to “seasons of participation.”]

“14.2 SEASONS OF *COMPETITION PARTICIPATION*: 10-SEMESTER/15-QUARTER RULE. A student-athlete shall not engage in more than four seasons of intercollegiate *competition participation* in any one sport (see Bylaw 14.02.6 **14.2.4.1**).”

B. Bylaws: Amend 14.2.4, page 94, as follows:

[Division III, roll call]

“14.2.4 Criteria for Determining Season of Eligibility

“14.2.4.1 Minimum Amount of *Competition Participation*. A season of intercollegiate *competition participation* shall be counted when a student-athlete participates *in any regular-season competition (including scrimmages occurring after the first contest or date of competition and competition in the nontraditional segment) or postseason intercollegiate competition (practices or competes) during or after the first contest following the student-athlete’s initial participation at that institution*. A season of *competition participation* shall not be counted when a student-athlete participates in a preseason scrimmage or preseason exhibition. This provision is applicable to intercollegiate athletics competition conducted by a *two-year or four-year Division III* collegiate institution at the varsity, junior varsity or freshman team level.”

[Remainder of 14.2.4 unchanged.]

C. Bylaws: Amend 14.2.5, page 95, as follows:

[Division III, roll call]

“14.2.5 Hardship Waiver. A student-athlete may be granted an additional year of *competition participation (per Bylaw 14.2.4)* by the conference or the Committee on Student-Athlete Reinstatement for reasons of “hardship.” Hardship is defined as an incapacity resulting from an injury or illness that has occurred under all of the following conditions:

“(a) The incapacitating injury or illness occurs in one of the four seasons of intercollegiate *competition participation* at any two-year or four-year collegiate institution;”

[Remainder of 14.2.5 unchanged.]

D. Bylaws: Amend 14.2.6, pages 96-97, as follows:

[Division III, roll call]

“14.2.6 Season-Of-*Competition Participation* Waiver — *Competition Participation* While Ineligible. In conjunction with a request for restoration of eligibility and any conditions imposed thereon per Bylaw 14.12, a student-athlete may be granted an additional season of *competition participation* by the Commit-

tee on Student-Athlete Reinstatement when he or she *participated engaged* in a limited amount of *competition participation* as a result of a good-faith, erroneous formal declaration of eligibility by the institution's appropriate certifying authority or a student-athlete's good-faith, erroneous reliance on a coaching staff member's decision to put the student-athlete into *competition participation* prior to the coaching staff member receiving a formal declaration of the student-athlete's eligibility from the institution's appropriate certifying authority. The *competition participation* must have occurred under all of the following conditions:

- “(a) The *competition participation* occurred while the student-athlete was representing an NCAA member institution;
- “(b) The *competition participation* occurred within 60 days of the date the student-athlete first reported for athletics *participation practice or competition*;
- “(c) The student-athlete did not participate in more than two events or 10 percent (whichever number is greater) of the institution's completed events in his or her sport. All competition (including a scrimmage) against outside participants shall be countable under this limitation in calculating both the number of events in which the student-athlete participated and the number of completed events during that season (traditional and nontraditional) in the sport;
- “(d) The student-athlete was involved innocently and inadvertently in the erroneous determination or declaration of eligibility, which permitted the student-athlete to *compete participate* while ineligible; and
- “(e) In the case of a coaching staff member's erroneous decision, the student-athlete had reason to believe he or she would be eligible to participate, and the student-athlete did not contribute to the coaching staff member's erroneous decision to allow the student-athlete to participate.”

[14.2.6.1 unchanged.]

E. Bylaws: Amend 14.2.7, page 97, as follows:

[Division III, roll call]

“14.2.7 *Season-of-Competition Participation* Waiver — *Competition Participation* While Eligible. A student-athlete may be granted an additional season of *competition participation* by the Committee on Student-Athlete Reinstatement when, due to extenuating circumstances (per Bylaw 14.2.7.1.2), the student-athlete, while eligible, *participated engaged* in a limited amount of *competition participation*. The *competition participation* must have occurred under all of the following conditions:

- “(a) The *competition participation* occurred while the student-athlete was representing an NCAA institution;
- “(b) The *competition participation* occurred within the first half of the traditional segment;

“(c) The student-athlete did not compete in more than three contests or dates of competition (whichever is applicable to that sport) or one-third (whichever number is greater) of the institution’s completed contests or dates of competition in his or her sport. All competition (including a scrimmage) against outside participants shall be countable under this limitation in calculating both the number of contests or dates of competition in which the student-athlete participated and the number of contests or dates of competition during that season (both segments) in the sport.”[Remainder of 14.2.7 unchanged.]

Source: NCAA Division III Presidents Council [Management Council (Joint Subcommittee on the Future of Division III) (Centennial Conference) (College Conference of Illinois and Wisconsin) (Iowa Intercollegiate Athletic Conference)].

Effective Date: August 1, 2004, for any athletics participation occurring on or after August 1, 2004.

Rationale: This legislation eliminates the practice of “redshirting” and is consistent with the Division III philosophy that the highest priority is placed on the overall quality of the educational experience and successful completion of all students’ academic progress. It will permit student-athletes to take part in limited tryouts without exhausting a season of participation. The retention of existing waiver options to regain a season of competition (e.g., medical hardship) provides an opportunity for unique situations to be handled on a case-by-case basis. This legislation encourages degree completion on a four-year schedule and may eliminate pressure to lengthen collegiate enrollment for student-athletes who do not wish to “redshirt.” The survey conducted on the future of Division III indicated that a substantial portion of the membership supports the elimination of athletics redshirting.

Action: Adopted, 249-163-1, as amended by No. 57-1.

***NO. 57-1**

**ELIGIBILITY — DETERMINING SEASON
OF ELIGIBILITY — MINIMUM AMOUNT
OF PARTICIPATION**

Intent: To amend 2004 NCAA Convention Proposal No. 57 to indicate that a student-athlete may practice in the nontraditional segment without counting a season of participation if the student-athlete missed the traditional season for academic reasons (excluding academic probation) as certified by the academic authorities at the institution.

Bylaws: Amend Proposal No. 2-56, Part B, 14.2.4, as follows:

[Division III, roll call]

“14.2.4 Criteria for Determining Season of Eligibility

“14.2.4.1 Minimum Amount of Participation. A season of intercollegiate participation shall be counted when a student-

athlete participates (practices or competes) during or after the first contest following the student-athlete's initial participation at that institution. A season of participation shall not be counted when a student-athlete participates in a preseason scrimmage or preseason exhibition. This provision is applicable to intercollegiate athletics competition conducted by a Division III collegiate institution at the varsity, junior varsity or freshman team level.

"14.2.4.1.1 Exception. A student-athlete may practice in the nontraditional segment without counting a season of participation if the student-athlete missed the traditional segment for academic reasons (excluding academic probation) as certified by the academic authorities at the institution."

Source: NCAA Division III Presidents Council (Management Council).

Effective Date: August 1, 2004

Rationale: This proposal specifies that a student-athlete who misses the traditional segment for academic reasons may practice in the nontraditional segment without being charged with a season of participation, provided the student-athlete does not compete in that segment. This proposal is based on feedback from the membership to allow flexibility for those student-athletes who, due to academic reasons, participate only in practice during the nontraditional segment. An institutional academic authority must certify that the student-athlete missed the traditional segment for a legitimate academic reason (e.g., study abroad, student-teaching).

Action: Adopted, 362-47-4.

***NO. 58 (NO. 2-70) PHILOSOPHY STATEMENT — RECRUITING**

Intent: To revise the Division III philosophy statement to specify that athletics recruitment complies with established institutional policies and procedures applicable to the admissions process.

Bylaws: Amend 20.11, page 216, as follows:

[Division III, roll call]

"20.11 DIVISION III MEMBERSHIP REQUIREMENTS

"DIVISION III PHILOSOPHY STATEMENT

"Colleges and universities in Division III place highest priority on the overall quality of the educational experience and on the successful completion of all students' academic programs. They seek to establish and maintain an environment in which a student-athlete's athletics activities are conducted as an integral part of the student-athlete's educational experience. They also

seek to establish and maintain an environment that values cultural diversity and gender equity among their student-athletes and athletics staff.

“To achieve this end, Division III institutions:

[20.11-(a) through 20.11-(g) unchanged.]

“(h) Assure that athletics recruitment complies with established institutional policies and procedures applicable to the admissions process;”

[20.11-(h) through 20.11-(k) renumbered as 20.11-(i) through 20.11-(l), unchanged.]

Source: NCAA Division III Presidents Council [Management Council (Joint Subcommittee on the Future of Division III)].

Effective Date: August 1, 2004

Rationale: This principle applies to the identification, evaluation and admission of prospective student-athletes and is consistent with existing concepts in the philosophy statement. In order to incorporate this concept into practice, the Division III Institutional Self-Study Guide will be amended to reflect the principle, thus encouraging campus dialogue between the athletics admissions department to assess admissions practices, consistent with the principle. The proposed legislation is responsive to results of the membership survey conducted on the future of Division III (84 percent support).

Action: Adopted, 392-22-0.

***NO. 59 (NO. 2-55) RECRUITING — PERMISSION TO CONTACT — SELF-RELEASE**

Intent: To grant student-athletes transferring to a Division III institution the authority to issue, on their own behalf, written permission that permits other institutions to contact the student-athlete about a potential transfer.

Bylaws: Amend 13.1.1.2, pages 67-68, as follows:

[Division III, roll call]

“13.1.1.2 Four-Year College Prospects. An athletics staff member or other representative of the institution’s athletics interests shall not make contact in any manner (e.g., in-person contact, telephone calls, electronic communication, written correspondence) with the student-athlete of another four-year collegiate institution, directly or indirectly, without first obtaining the written permission *of the first institution’s athletics director (or an athletics administrator designated by the athletics director)* to do so, regardless of who makes the initial contact. If permission is not granted, the second institution shall not encourage the transfer. If permission is granted *to contact the student-athlete*, all applicable NCAA recruiting rules apply. **Written permission may be granted by:**

“(a) The first institution’s athletics director (or an athletics administrator designated by the athletics director); or

“(b) The student-athlete, if the student-athlete attends a Division III institution. (See Bylaw 13.1.1.2.1.)

“13.1.1.2.1 Self-Release. Using a form made available by the NCAA national office, a student-athlete that attends a Division III institution may issue, on their own behalf, permission for another institution to contact the student-athlete about a potential transfer. The student-athlete shall forward this form to the director of athletics at the institutions of interest.”

[13.1.1.2.1 through 13.1.1.2.4 renumbered as 13.1.1.2.2 through 13.1.1.2.5, unchanged.]

Source: NCAA Division III Presidents Council [Management Council (Joint Subcommittee on the Future of Division III)].

Effective Date: August 1, 2004

Rationale: This proposal provides student-athletes with flexibility and freedom to pursue options related to transfer and subsequent enrollment at a new institution. It grants student-athletes the opportunity to pursue other educational experiences with some privacy and without fear of negative repercussion from the current institution. The student-athlete statement will be updated to provide notice to student-athletes about the availability of this permission form on the NCAA Web site. To mitigate concerns about the abuse of this proposal, the enforcement staff and the Committee on Infractions will be issued a directive to strengthen enforcement of the transfer contact regulations and issues related to inappropriate contact with student-athletes. It is important to note that the self-release applies only for student-athletes transferring from one Division III institution to another Division III institution. The latter concept is responsive to the results of the membership survey conducted on the future of Division III (63 percent support).

Action: Adopted, 221-195-5.

NO. 60 (NO. 2-61) PLAYING AND PRACTICE SEASONS — LENGTH OF SEASONS AND CONTEST LIMITS

Intent: To limit the length of an institution’s playing season segment to 18 weeks in fall sports, and 19 weeks in winter and spring sports; further, to decrease the combined current traditional and nontraditional segment contest limits by 10 percent and establish combined maximums for traditional and nontraditional segments as specified, while retaining the current caps on the maximum number of permissible contests or dates of competition in each segment.

Please see Appendix B for additional details regarding the application of this proposal.

A. Bylaws: Amend 17.1.4, page 128, as follows:

[Division III, roll call]

“17.1.4 Sports Subject to Segment Limitations. Segment limitations are applicable to all team sports that are listed under Bylaw 17.02.12.1 and all individual sports listed under Bylaw 17.02.12.2. *In those sports for which the National Collegiate Championship is the only NCAA championships opportunity (see Bylaw 18.3), a*An institution’s playing season (**traditional and nontraditional segments combined**) shall be limited to **21 18 weeks for fall sports and 19 weeks for winter and spring sports**. Division III sports are subject to all Division III playing and practice seasons legislation, regardless of the championship opportunities (e.g., national collegiate championships, national governing body) available in those sports.”

B. Bylaws: Amend 17.2, pages 134-136, as follows:

[Division III, roll call]

“17.2 ARCHERY, WOMEN’S. Regulations for computing the archery playing season are set forth in Bylaw 17.1, General Playing-Season Regulations. (Also see Figure 17-1.)

“17.2.1 Length of Playing Season. The length of an institution’s playing season in archery shall be limited to a maximum of **21 19 weeks** (traditional and nontraditional segments combined).

[17.2.2 through 17.2.4 unchanged.]

“17.2.5 Number of Dates of Competition.

“17.2.5.1 Maximum Limitations — Institutional. A member institution shall limit its total playing schedule with outside competition in archery during the institution’s archery playing season to **15 14** dates of competition (contests and scrimmages), except for those dates of competition excluded under Bylaws 17.2.5.3 and 17.2.5.4 (see Bylaw 20.11.3.3 for minimum contests and participants requirements).

[17.2.5.1.1 unchanged.]

“17.2.5.2 Maximum Limitations — Student-Athlete. A student-athlete may participate in a maximum of **15 14** dates of competition. This limitation includes those dates of competition in which the student-athlete represents the institution, including competition as a member of the varsity, junior varsity or freshman team of the institution in accordance with Bylaws 17.02.4 and 17.02.8.”

[Remainder of 17.2 unchanged.]

C. Bylaws: Amend 17.3, pages 136-138, as follows:

[Division III, roll call]

“17.3 BADMINTON, WOMEN’S. Regulations for computing the badminton playing season are set forth in Bylaw 17.1, General Playing-Season Regulations. (Also see Figure 17-1.)

“17.3.1 Length of Playing Season. The length of an institution’s playing season in badminton shall be limited to a maximum of *21* **19** weeks (traditional and nontraditional segments combined).

[17.3.2 through 17.3.4 unchanged.]

“17.3.5 Number of Dates of Competition.

“17.3.5.1 Maximum Limitations — Institutional. A member institution shall limit its total playing schedule with outside competition in badminton during the institution’s badminton playing season to *15* **14** dates of competition (contests and scrimmages), including not more than three tournaments that are counted as single dates of competition, except for those dates of competition excluded under Bylaws 17.3.5.3 and 17.3.5.4.

[17.3.5.1.1 unchanged.]

“ “17.3.5.2 Maximum Limitations — Student-Athlete. A student-athlete may participate in each academic year in *15* **14** dates of competition, including not more than three tournaments that are counted as single dates of competition. This limitation includes those dates of competition in which the student-athlete represents the institution, including competition as a member of the varsity, junior varsity or freshman team of the institution in accordance with Bylaws 17.02.4 and 17.02.8.”

[Remainder of 17.3 unchanged.]

D. Bylaws: Amend 17.4, pages 138-140, as follows:

[Division III, roll call]

“17.4 BASEBALL. Regulations for computing the baseball-playing season are set forth in Bylaw 17.1, General Playing-Season Regulations. (Also see Figure 17-1.)

“17.4.1 Length of Playing Season. The length of an institution’s playing season in baseball shall be limited to a maximum of *21* **19** weeks (traditional and nontraditional segments combined).

“17.4.2 Preseason Practice. A member institution shall not commence practice sessions in baseball before the following dates:

“(a) Traditional Segment. *September 7 or the institution’s first day of classes for the fall term, whichever is earlier.*
The date that permits a maximum of 14 weeks (as calculated pursuant to Bylaw 17.1.8) prior to the selection date for the NCAA Division III Baseball Championship.

[17.4.2-(b) unchanged.]

“17.4.3 First Contest Date. A member institution shall not play its first contest (including a scrimmage) with outside competition in baseball before the following dates:

“(a) Traditional Segment. *September 7 or the institution’s first day of classes for the fall term, whichever is earlier.*

The date that permits a maximum of 14 weeks (as calculated pursuant to Bylaw 17.1.8) prior to the selection date for the NCAA Division III Baseball Championship.

[17.4.3-(b) unchanged.]

[17.4.4 unchanged.]

“17.4.5 Number of Contests.

“17.4.5.1 Maximum Limitations — Institutional. A member institution shall limit its total playing schedule with outside competition in baseball during the institution’s baseball playing season to a maximum of ~~45~~ **41** contests (games and scrimmages) with not more than 40 during the traditional segment, and not more than five during the nontraditional segment, except for those contests excluded under Bylaw 17.4.5.3.”

[17.4.5.1.1 unchanged.]

“17.4.5.2 Maximum Limitations — Student-Athlete. An individual student-athlete may participate in each academic year in a maximum of ~~45~~ **41** baseball contests (games and scrimmages) with not more than 40 during the traditional segment and not more than five during the nontraditional segment. This limitation includes those contests in which the student-athlete represents the institution including competition as a member of the varsity, junior varsity or freshman team of the institution in accordance with Bylaws 17.02.4 and 17.02.8.

[Remainder of 17.4 unchanged.]

E. Bylaws: Amend 17.5, pages 140-142, as follows:

[Division III, roll call]

“17.5 BASKETBALL.

“17.5.1 Length of Playing Season. The length of an institution’s playing season in basketball shall be limited to a maximum of ~~21~~ **19** weeks between the start of preseason practice (see Bylaw 17.5.2) and the end of the regular playing season (see Bylaw 17.5.4). This ~~21~~ **19**-week period includes permissible conditioning activities as set forth in Bylaw 17.5.2.1.1. Guidelines for computing the basketball playing season are set forth in Bylaw 17.1, General Playing-Season Regulations.

“17.5.2 Preseason Practices.

“17.5.2.1 On-Court Practice. A member institution

shall not commence on-court preseason basketball practice sessions before *October 15 19 consecutive weeks prior to the selection date for the NCAA Division III Basketball Championship.*

“17.5.2.1.1 Permissible Conditioning Activities. Team conditioning or physical-fitness activities supervised by coaching staff members may be conducted on or off court but shall not begin before *October 15 19 consecutive weeks prior to the selection date for the NCAA Division III Basketball Championship.*

[17.5.2.1.2 unchanged.]

[17.5.2.1.2.1 and 17.5.2.1.2.2 unchanged.]

[17.5.3 through 17.5.4 unchanged.]

“17.5.5 Number of Contests.

“17.5.5.1 Maximum Limitations — Institutional. A member institution shall limit its total regular-season playing schedule with outside competition in basketball in any one year to a maximum of *25 23* contests (games or scrimmages), except for those contests excluded under Bylaw 17.5.5.3.

[17.5.5.1.1 unchanged.]

“17.5.5.2 Maximum Limitations — Student-Athlete. A student-athlete may participate each academic year in a maximum of *25 23* contests. This limitation includes those contests in which the student represents the institution, including competition as a member of the varsity, junior varsity or freshman team of the institution, in accordance with Bylaws 17.02.4 and 17.02.8. Further, a student may participate each year in only one postseason basketball tournament as a member of the institution’s varsity, junior varsity or freshman team.”

[Remainder of 17.5 unchanged.]

F. Bylaws: Amend 17.6, pages 142-144, as follows:

[Division III, roll call]

“17.6 BOWLING, WOMEN’S. Regulations for computing the bowling playing season are set forth in Bylaw 17.1, General Playing-Season Regulations. (Also see Figure 17-1.)

“17.6.1 Length of Playing Season. The length of an institution’s playing season in bowling shall be limited to a maximum of *21 19* weeks (traditional and nontraditional segments combined).

“17.6.2 Preseason Practice. A member institution shall not commence practice sessions in bowling before the following dates:

“(a) Traditional Segment. *September 7 or the institution’s first day of classes for the fall term, whichever is earlier*
The date that permits a maximum of 19 weeks (as

calculated pursuant to Bylaw 17.1.8) prior to the selection date for the National Collegiate Women's Bowling Championship.

[17.6.2-(b) unchanged.]

"17.6.3 First Date of Competition. A member institution shall not engage in its first date of competition (contest or scrimmage) with outside competition in bowling before the following dates:

"(a) Traditional Segment. *September 7 or the institution's first day of classes for the fall term, whichever is earlier*
The date that permits a maximum of 19 weeks (as calculated pursuant to Bylaw 17.1.8) prior to the selection date for the National Collegiate Women's Bowling Championship.

[17.6.3-(b) unchanged.]

[17.6.4 unchanged.]

"17.6.5 Number of Dates of Competition.

"17.6.5.1 Maximum Limitations — Institutional. A member institution shall limit its total playing schedule with outside competition in bowling during the institution's bowling playing season to ~~26~~ **23** dates of competition (games and scrimmages), including not more than 10 tournaments that are counted as single dates of competition, except for those dates of competition excluded under Bylaws 17.6.5.3 and 17.6.5.4 (see Bylaw 20.11.3.3 for minimum contests and participants requirements)."

[17.6.5.1.1 unchanged.]

"17.6.5.2 Maximum Limitations — Student-Athlete. A student-athlete may participate in each academic year in ~~26~~ **23** dates of competition in bowling including not more than 10 tournaments that are counted as single dates of competition. This limitation includes those dates of competition in which the student represents the institution, including competition as a member of the varsity, junior varsity or freshman team of the institution in accordance with Bylaws 17.02.4 and 17.02.8.

G. Bylaws: Amend 17.7, pages 144-147, as follows:

[Division III, roll call]

"17.7 CROSS COUNTRY. Regulations for computing the cross country playing season are set forth in Bylaw 17.1, General Playing-Season Regulations. (Also see Figure 17-1.)

"17.7.1 Length of Playing Season. The length of an institution's playing season in cross country shall be limited to a maximum of ~~21~~ **18** weeks (traditional and nontraditional segments combined).

[17.7.1.1 unchanged.]

[17.7.2 through 17.7.4 unchanged.]

“17.7.5 Number of Dates of Competition.

“17.7.5.1 Maximum Limitations — Institutional. A member institution shall limit its total playing schedule with outside competition to a maximum of *nine eight* dates of competition (games and scrimmages), except for those dates of competition excluded under Bylaws 17.7.5.3, 17.7.5.4 and 17.7.5.5 (see Bylaw 20.11.3.3 for minimum contests and participants requirements).

“17.7.5.1.1 Exception — Cross Country without Indoor or Outdoor Track and Field. An institution that sponsors men’s or women’s cross country but does not sponsor indoor or outdoor track and field shall limit its total playing schedule with outside competition during the cross country playing season to *nine eight* dates of competition during the traditional segment and three dates of competition during the nontraditional segment.

[17.7.5.1.2 unchanged.]

“17.7.5.2 Maximum Limitations — Student-Athlete. A student-athlete may participate in each academic year in a maximum of *nine eight* cross country dates of competition. This limitation includes those dates of competition in which the student represents the institution, including competition as a member of the varsity, junior varsity or freshman team of the institution in accordance with Bylaws 17.02.4 and 17.02.8.

“17.7.5.2.1 Exception — Cross Country without Indoor or Outdoor Track and Field. An individual student-athlete who attends an institution that sponsors men’s or women’s cross country but does not sponsor indoor or outdoor track and field may participate during each academic year in *nine eight* dates of competition during the traditional segment in cross country and three dates of competition during the nontraditional segment.”

[Remainder of 17.7 unchanged.]

H. Bylaws: Amend 17.9, pages 147-149, as follows:

[Division III, roll call]

“17.9 FENCING. Regulations for computing the fencing playing season are set forth in Bylaw 17.1, General Playing-Season Regulations. (Also see Figure 17-1.)

“17.9.1 Length of Playing Season. The length of an institution’s playing season in fencing shall be limited to a *21 19*-week season, which may consist of two segments (each consisting of consecutive *days weeks*) and which may exclude only required off days per Bylaw 17.1.7 and official vacation, holiday and final-examination periods during which no practice or competition shall occur.

“17.9.2 Preseason Practice. A member institution shall not commence practice sessions in fencing before *September 7 or the institution’s first day of classes for the fall term, whichever is earlier* **the date that permits a maximum of 19 weeks (as calculated pursuant to Bylaw 17.1.8) prior to the selection date for the National Collegiate Men’s and Women’s Fencing Championships.**

“17.9.3 First Date of Competition. A member institution shall not engage in its first date of competition (contest or scrimmage) with outside competition in fencing before *September 7 or the institution’s first day of classes for the fall term, whichever is earlier* **the date that permits a maximum of 19 weeks (as calculated pursuant to Bylaw 17.1.8) prior to the selection date for the National Collegiate Men’s and Women’s Fencing Championships.**

[17.9.4 unchanged.]

“17.9.5 Number of Dates of Competition.

“17.9.5.1 Maximum Limitations — Institutional. A member institution shall limit its total playing schedule with outside competition in fencing during the permissible fencing playing season to a maximum of *11* **10** dates of competition, except for those dates of competition excluded under Bylaws 17.9.5.3 and 17.9.5.4 (see Bylaw 20.11.3.3 for minimum contests and participants requirements).

[17.9.5.1.1 unchanged.]

“17.9.5.2 Maximum Limitations — Student-Athlete. A student-athlete may participate in each academic year in a maximum of *11* **10** dates of competition in fencing. This limitation includes those dates of competition in which the student-athlete represents the institution, including competition as a member of the varsity, junior varsity or freshman team of the institution in accordance with Bylaws 17.02.4 and 17.02.8.”

[Remainder of 17.9 unchanged.]

I. Bylaws: Amend 17.10, pages 149-151, as follows:

[Division III, roll call]

“17.10 FIELD HOCKEY. Regulations for computing the field hockey playing season are set forth in Bylaw 17.1, General Playing-Season Regulations. (Also see Figure 17-1.)

“17.10.1 Length of Playing Season. The length of an institution’s playing season in field hockey shall be limited to a maximum of *21* **18** weeks (traditional and nontraditional segments combined).

[17.10.2 through 17.10.4 unchanged.]

“17.10.5 Number of Contests and Dates of Competition.

“17.10.5.1 Maximum Limitations — Institutional. A

member institution shall limit its total playing schedule with outside competition in the sport of field hockey during the institution's field hockey playing season in any one year to **a maximum of 20 22** contests (**games and scrimmages**) **with not more than 20** during the **traditional** segment *in which the NCAA championship is conducted* and **not more than** four dates of competition during *another* **the nontraditional** segment, except for those contests or dates of competition excluded under Bylaws 17.10.5.3, 17.10.5.4 and 17.10.5.5 [see also Bylaw 17.10.3-(a)].

[17.10.5.1.1 unchanged.]

"17.10.5.2 Maximum Limitations — Student-Athlete. A student-athlete may participate in a maximum of **20 22** field hockey contests (**games and scrimmages**) **with not more than 20** during the **traditional** segment *in which the NCAA championship is conducted* and **not more than** four dates of competition in field hockey during *another* **the nontraditional** segment. This limitation includes those contests or dates of competition in which the student represents the institution, including competition as a member of the varsity, junior varsity or freshman team of the institution in accordance with Bylaws 17.02.4 and 17.02.8."

[Remainder of 17.10 unchanged.]

J. Bylaws: Amend 17.11, pages 151-154, as follows:

[Division III, roll call]

"17.11 FOOTBALL.

"17.11.1 Length of Playing Season. The length of an institution's playing season in football shall be limited to a maximum of **21 18** weeks between the start of preseason practice (see Bylaw 17.11.2) and the end of the regular playing season (see Bylaw 17.11.4). This **21 18**-week period includes preseason practice activities as set forth in Bylaw 17.11.2. Guidelines for computing the football playing season are set forth in Bylaw 17.1, General Playing-Season Regulations. (See Bylaw 17.11.4 for restrictions on first contest dates.)

[17.11.2 through 17.11.4 unchanged.]

"17.11.5 Number of Contests.

"17.11.5.1 Maximum Limitations — Institutional. A member institution shall limit its total regular-season playing schedule with outside competition in football during the permissible football playing season in any one year to a maximum of **10 nine** contests (games and scrimmages), except as provided for all members under Bylaw 17.11.5.3.

[17.11.5.1.1 unchanged.]

"17.11.5.2 Maximum Limitations — Student-Athlete. A

student-athlete may participate in each academic year in a maximum of *10* **nine** football games. This limitation includes those contests in which the student-athlete represents the institution, including competition as a member of the varsity, junior varsity or freshman team of the institution in accordance with Bylaws 17.02.4 and 17.02.8.”

[Remainder of 17.11 unchanged.]

K. Bylaws: Amend 17.12, pages 154-156, as follows:

[Division III, roll call]

“17.12 GOLF. Regulations for computing the golf playing season are set forth in Bylaw 17.1, General Playing-Season Regulations. (Also see Figure 17-1.)

“17.12.1 Length of Playing Season. The length of an institution’s playing season in golf shall be limited to a maximum of *21* **19** weeks (traditional and nontraditional segments combined).

“17.12.2 Preseason Practice. A member institution shall not commence practice sessions in golf before the following dates:

“(a) Traditional Segment. *September 7 or the institution’s first day of classes for the fall term, whichever is earlier*
The date that permits a maximum of 14 weeks (as calculated pursuant to Bylaw 17.1.8) prior to the selection date for the NCAA Division III Golf Championships.

[17.12.2-(b) unchanged.]

[17.12.2.1 unchanged.]

“17.12.3 First Date of Competition. A member institution shall not engage in its first date of competition with outside competition in golf before the following dates:

“(a) Traditional Segment. *September 7 or the institution’s first day of classes for the fall term, whichever is earlier*
The date that permits a maximum of 14 weeks (as calculated pursuant to Bylaw 17.1.8) prior to the selection date for the NCAA Division III Golf Championships.

[17.12.3-(b) unchanged.]

[17.12.3.1 unchanged.]

[17.12.4 unchanged.]

“17.12.5 Number of Dates of Competition.

“17.12.5.1 Maximum Limitations — Institutional. A member institution shall limit its total playing schedule with outside competition to a maximum of *20* **18** dates of competition, except for those dates of competition excluded under Bylaw 17.12.5.3 (Bylaw 20.11.3.3 for minimum contests and participants requirements).

[17.12.5.1.1 through 17.12.5.1.3 unchanged.]

“17.12.5.2 Maximum Limitations — Student-Athlete. A student-athlete may participate in each academic year in a maximum of **20 18** dates of competition. This limitation includes those dates of competition in which the student represents the institution, including competition as a member of the varsity, junior varsity or freshman team of the institution in accordance with Bylaws 17.02.4 and 17.02.8.”

[Remainder of 17.12 unchanged.]

L. Bylaws: Amend 17.13, pages 156-158, as follows:

[Division III, roll call]

“17.13 GYMNASTICS. Regulations for computing the gymnastics playing season are set forth in Bylaw 17.1, General Playing-Season Regulations. (Also see Figure 17-1.)

“17.13.1 Length of Playing Season. The length of an institution’s playing season in gymnastics shall be limited to a **21 19**-week season, which may consist of two segments (each consisting of consecutive days) and which may exclude only required off days per Bylaw 17.1.7 and official vacation, holiday and final-examination periods during which no practice or competition shall occur.

“17.13.2 Preseason Practice. A member institution shall not commence practice sessions in gymnastics before *September 7 or the institution’s first day of classes for the fall term, whichever is earlier* **the date that permits a maximum of 19 weeks (as calculated pursuant to Bylaw 17.1.8) prior to the selection date for National Collegiate Gymnastics Championships.**

“17.13.3 First Date of Competition. A member institution shall not engage in its first date of competition (meet or practice meet) with outside competition in gymnastics before *September 7 or the institution’s first day of classes for the fall term, whichever is earlier* **the date that permits a maximum of 19 weeks (as calculated pursuant to Bylaw 17.1.8) prior to the selection date for the National Collegiate Gymnastics Championships.**

[17.13.4 unchanged.]

“17.13.5 Number of Dates of Competition.

“17.13.5.1 Maximum Limitations — Institutional. A member institution shall limit its total playing schedule with outside competition in the sport of gymnastics during the permissible gymnastics playing season to a maximum of **13 12** dates of competition except for the dates of competition excluded under Bylaw 17.13.5.3 (see Bylaw 20.11.3.3 for minimum contests and participants requirements).

[17.13.5.1.1 unchanged.]

“17.13.5.2 Maximum Limitations — Student-Athlete. An individual student-athlete may participate in each academic year in not more than *13* **12** dates of competition in gymnastics. This limitation includes those dates of competition in which the student represents the institution in accordance with Bylaw 17.02.8, including competition as a member of the varsity, junior varsity or freshman team of the institution.”

[Remainder of 17.13 unchanged.]

M. Bylaws: Amend 17.14, pages 158-160, as follows:

[Division III, roll call]

“17.14 ICE HOCKEY. Regulations for computing the ice hockey playing season are set forth in Bylaw 17.1, General Playing-Season Regulations. Institutions that conduct women’s ice hockey shall comply with the same playing and practice season legislation that currently exists for men’s ice hockey. (Also see Figure 17-1.)

“17.14.1 Length of Playing Season. The length of an institution’s playing season in ice hockey shall be limited to a maximum of *21* **19** weeks (traditional and nontraditional **segments** combined).

“17.14.2 Preseason Practice. A member institution shall not commence practice sessions in ice hockey before the following dates:

“(a) Traditional Segment. *September 7 or the institution’s first day of classes for the fall term, whichever is earlier* **The date that permits a maximum of 19 weeks (as calculated pursuant to Bylaw 17.1.8) prior to the selection date for the NCAA Division III Ice Hockey Championship.**

[17.14.2-(b) unchanged.]

“17.14.3 First Contest. A member institution shall not play its first contest (game or scrimmage) with outside competition in ice hockey before *September 7 or the institution’s first day of classes for the fall term, whichever is earlier* **the date that permits a maximum of 19 weeks (as calculated pursuant to Bylaw 17.1.8) prior to the selection date for the NCAA Division III Ice Hockey Championship.**

[17.14.4 unchanged.]

“17.14.5 Number of Contests.

“17.14.5.1 Maximum Limitations — Institutional. A member institution shall limit its total playing schedule with outside competition during the institution’s ice hockey playing season in women’s ice hockey to a maximum of *25* **23** contests and in men’s ice hockey to a maximum of *25* **23** contests (games or scrimmages), except for those contests excluded under Bylaws 17.14.5.3 and 17.14.5.5.

[17.14.5.1.1 unchanged.]

“17.14.5.2 Maximum Limitations — Student-Athlete. A student-athlete may participate in each academic year in a maximum of ~~25~~ **23** contests in women’s ice hockey and in men’s ice hockey in a maximum of ~~25~~ **23** contests. This limitation includes those contests in which the student represents the institution, including competition as a member of the varsity, junior varsity or freshman team of the institution in accordance with Bylaws 17.02.4 and 17.02.8.”

[Remainder of 17.14 unchanged.]

N. Bylaws: Amend 17.15, pages 160-162, as follows:

[Division III, roll call]

“17.15 LACROSSE. Regulations for computing the lacrosse playing season are set forth in Bylaw 17.1, General Playing-Season Regulations. (Also see Figure 17-1.)

“17.15.1 Length of Playing Season. The length of an institution’s playing season in lacrosse shall be limited to a maximum of ~~21~~ **19** weeks (traditional and nontraditional segments combined).

“17.15.2 Preseason Practice. A member institution shall not commence practice sessions in lacrosse before the following dates:

“(a) Traditional Segment. *September 7 or the institution’s first day of classes for the fall term, whichever is earlier*
The date that permits a maximum of 14 weeks (as calculated pursuant to Bylaw 17.1.8) prior to the selection date for the NCAA Division III Lacrosse Championship.

[17.15.2-(b) unchanged.]

“17.15.3 First Date of Competition. A member institution shall not engage in its first date of competition (game or scrimmage) with outside competition in lacrosse before the following dates:

“(a) Traditional Segment. *September 7 or the institution’s first day of classes for the fall term, whichever is earlier*
The date that permits a maximum of 14 weeks (as calculated pursuant to Bylaw 17.1.8) p r i o r to the selection date for the NCAA Division III Lacrosse Championship.

[17.15.3-(b) unchanged.]

[17.15.4 unchanged.]

“17.15.5 Number and Dates of Competition.

“17.15.5.1 Maximum Limitations — Institutional. A member institution shall limit its total playing schedule with outside competition in the sport of lacrosse during the institution’s lacrosse playing season to a maximum

of 17 15 dates of competition, with not more than four dates of competition during the nontraditional segment, except for those contests excluded under Bylaws 17.15.5.3, 17.15.5.4 and 17.15.5.5.

[17.15.5.1.1 unchanged.]

“17.15.5.2 Maximum Limitations — Student-Athlete. A student-athlete may participate in each academic year in a maximum of 17 15 dates of competition, with not more than four dates of competition during the nontraditional segment. This limitation includes those contests in which the student represents the institution, including competition as a member of the varsity, junior varsity or freshman team of the institution in accordance with Bylaws 17.02.4 and 17.02.8.”

[Remainder of 17.15 unchanged.]

O. Bylaws: Amend 17.16, pages 162-164, as follows:

[Division III, roll call]

“17.16 RIFLE. Regulations for computing the rifle playing season are set forth in Bylaw 17.1, General Playing-Season Regulations. (Also see Figure 17-1.)

“17.16.1 Length of Playing Season. The length of an institution’s playing season in rifle shall be limited to a 21 19-week season, which may consist of two segments (each consisting of consecutive days) and which may exclude only required off days per Bylaw 17.1.7 and official vacation, holiday and final-examination periods during which no practice or competition shall occur.

“17.16.2 Preseason Practice. A member institution shall not commence practice sessions in rifle before *September 7 or the institution’s first day of classes for the fall term, whichever is earlier* **the date that permits a maximum of 19 weeks (as calculated pursuant to Bylaw 17.1.8) prior to the selection date for the National Collegiate Men’s and Women’s Rifle Championship.**

“17.16.3 First Date of Competition. A member institution shall not engage in its first date of competition (meet or practice meet) with outside competition in rifle before *September 7 or the institution’s first day of classes for the fall term, whichever is earlier* **the date that permits a maximum of 19 weeks (as calculated pursuant to Bylaw 17.1.8) prior to the selection date for the National Collegiate Men’s and Women’s Rifle Championship.**

[17.16.4 unchanged.]

“17.16.5 Number of Dates of Competition.

“17.16.5.1 Maximum Limitations — Institutional. A member institution shall limit its total playing schedule with outside competition in the sport of rifle during the

permissible rifle playing season to a maximum of ~~13~~ **12** dates of competition except for those dates of competition excluded under Bylaws 17.16.5.3, 17.16.5.4 and 17.16.5.5 (see Bylaw 20.11.3.3 for minimum contests and participants requirements).

[17.16.5.1.1 unchanged.]

“17.16.5.2 Maximum Limitations — Student-Athlete. A student-athlete may participate in each academic year in a maximum of ~~13~~ **12** dates of competition in rifle. This limitation includes those dates of competition in which the student represents the institution in accordance with Bylaw 17.02.8, including competition as a member of the varsity, junior varsity or freshman team of the institution.”

[Remainder of 17.16 unchanged.]

P. Bylaws: Amend 17.17, pages 164-166, as follows:

[Division III, roll call]

“17.17 ROWING, WOMEN’S. Regulations for computing the rowing playing season are set forth in Bylaw 17.1, General Playing-Season Regulations. (Also see Figure 17-1.)

“17.17.1 Length of Playing Season. The length of an institution’s playing season in rowing shall be limited to a ~~21~~ **19**-week season, which may consist of two segments (each consisting of consecutive days) and which may exclude only required off days per Bylaw 17.1.7 and official vacation, holiday and final-examination periods during which no practice or competition shall occur.

“17.17.2 Preseason Practice. A member institution shall not commence practice sessions in rowing before the following dates:

“(a) Traditional Segment. *September 7 or the institution’s first day of classes for the fall term, whichever is earlier*
The date that permits a maximum of 14 weeks (as calculated pursuant to Bylaw 17.1.8) prior to the selection date for the NCAA Division III Rowing Championship.

[17.17.2-(b) unchanged.]

“17.17.3 First Date of Competition. A member institution shall not engage in its first date of competition (game or scrimmage) with outside competition in rowing before **the following dates:**

“(a) Traditional Segment. **The date that permits a maximum of 14 weeks (as calculated pursuant to Bylaw 17.1.8) prior to the selection date for the NCAA Division III Rowing Championship.**

“(b) Nontraditional Segment. September 7 or the institution’s first day of classes for the fall term, whichever is earlier.

[17.17.4 unchanged.]

“17.17.5 Number of Dates of Competition.

“17.17.5.1 Maximum Limitations — Institutional. A member institution shall limit its total playing schedule with outside competition in the sport of rowing during the institution’s playing season to a maximum of **20 18** dates of competition (games and scrimmages), except for those dates of competition excluded under Bylaws 17.17.5.3 and 17.17.5.4.

[17.17.5.1.1 unchanged.]

“17.17.5.2 Maximum Limitations — Student-Athlete. An individual student-athlete may participate in each academic year in a maximum of **20 18** dates of competition. This limitation includes those dates of competition in which the student represents the institution, including competition as a member of the varsity, junior varsity or freshman team of the institution in accordance with Bylaws 17.02.4 and 17.02.8.”

[Remainder of 17.17 unchanged.]

Q. Bylaws: Amend 17.18, pages 166-168, as follows:

[Division III, roll call]

“17.18 SKIING. Regulations for computing the skiing playing season are set forth in Bylaw 17.1, General Playing-Season Regulations. (Also see Figure 17-1.)

“17.18.1 Length of Playing Season. The length of an institution’s playing season in skiing shall be limited to a **21 19**-week season, which may consist of two segments (each consisting of consecutive days) and which may exclude only required off days per Bylaw 17.1.5 and official vacation, holiday and final-examination periods during which no practice or competition shall occur.

“17.18.2 Preseason Practice. A member institution shall not commence practice sessions in skiing before *September 7 or the institution’s first day of classes for the fall term, whichever is earlier* **the date that permits a maximum of 19 weeks (as calculated pursuant to Bylaw 17.1.8) prior to the selection date for the National Collegiate Men’s and Women’s Skiing Championships.**

“17.18.3 First Date of Competition. A member institution shall not engage in its first date of competition (meets or practice meets) with outside competition in skiing before *September 7 or the institution’s first day of classes for the fall term, whichever is earlier* **the date that permits a maximum of 19 weeks (as calculated pursuant to Bylaw 17.1.8) prior to the selection date for the National Collegiate Men’s and Women’s Skiing Championships.**

[17.18.4 unchanged.]

“17.18.5 Number of Dates of Competition.

“17.18.5.1 Maximum Limitations — Institutional. A member institution shall limit its total playing schedule with outside competition in the sport of skiing during the permissible skiing playing season to a maximum of ~~16~~ **14** dates of competition, except for those dates of competition excluded under Bylaws 17.18.5.3, 17.18.5.4 and 17.18.5.5 (see Bylaw 20.11.3.3 for minimum contests and participants requirements).

[17.18.5.1.1 and 17.18.5.1.2 unchanged.]

“17.18.5.2 Maximum Limitations — Student-Athlete. An individual student-athlete may participate in each academic year in a maximum of ~~16~~ **14** dates of competition in skiing. This limitation includes those dates of competition in which the student represents the institution, including competition as a member of the varsity, junior varsity or freshman team of the institution in accordance with Bylaws 17.02.4 and 17.02.8.”

[Remainder of 17.18 unchanged.]

R. Bylaws: Amend 17.19, pages 168-170, as follows:

[Division III, roll call]

“17.19 SOCCER. Regulations for computing the soccer playing season are set forth in Bylaw 17.1, General Playing-Season Regulations. (Also see Figure 17-1.)

“17.19.1 Length of Playing Season. The length of an institution’s playing season in soccer shall be limited to a maximum of ~~21~~ **18** weeks (traditional and nontraditional segments combined).

[17.19.2 through 17.19.4 unchanged.]

“17.19.5 Number of Contests and Dates of Competition.

“17.19.5.1 Maximum Limitations — Institutional. A member institution shall limit its total playing schedule against outside competition in the sport of soccer during the institution’s soccer playing season in any one year to a maximum of ~~20~~ **22** contests **and dates of competition combined, with not more than 20 contests** during the **traditional** segment *in which the NCAA championship is conducted* and **not more than** four dates of competition during *another* **the nontraditional** segment, except for those contests and/or dates of competition excluded under Bylaws 17.19.5.3, 17.19.5.4 and 17.19.5.5 [see also Bylaw 17.19.4-(a)].

[17.19.5.1.1 and 17.19.5.1.2 unchanged.]

“17.19.5.2 Maximum Limitations — Student-Athlete. A student-athlete may participate in each academic year in a maximum of ~~20~~ **22** soccer contests **and dates of competition combined, with not more than 20 contests** during the **traditional** segment *in which the*

*NCAA championship is conducted and **not more than** four dates of competition in soccer during *another the nontraditional* segment. This limitation includes those contests in which the student represents the institution, including competition as a member of the varsity, junior varsity or freshman team of the institution in accordance with Bylaws 17.02.4 and 17.02.8.”*

[Remainder of 17.19 unchanged.]

S. Bylaws: Amend 17.20, pages 170-172, as follows:

[Division III, roll call]

“17.20 SOFTBALL. Regulations for computing the softball playing season are set forth in Bylaw 17.1, General Playing-Season Regulations. (Also see Figure 17-1.)

“17.20.1 Length of Playing Season. The length of an institution’s playing season in softball shall be limited to a maximum of **21 19** weeks (traditional and nontraditional segments combined).

“17.20.2 Preseason Practice. A member institution shall not commence practice sessions in softball before the following dates:

“(a) Traditional Segment. *September 7 or the institution’s first day of classes for the fall term, whichever is earlier*
The date that permits a maximum of 14 weeks (as calculated pursuant to Bylaw 17.1.8) prior to the selection date for the NCAA Division III Softball Championship.

[17.20.2-(b) unchanged.]

“17.20.3 First Contest Date. A member institution shall not play its first contest (game or scrimmage) with outside competition in softball before the following dates:

“(a) Traditional Segment. *September 7 or the institution’s first day of classes for the fall term, whichever is earlier*
The date that permits a maximum of 14 weeks (as calculated pursuant to Bylaw 17.1.8) p r i o r to the selection date for the NCAA Division III Softball Championship.

[17.20.3-(b) unchanged.]

[17.20.4 unchanged.]

“17.20.5 Number of Contests.

“17.20.5.1 Maximum Limitations — Institutional. A member institution shall limit its total playing schedule with outside competition in the sport of softball during the institution’s softball playing season to a maximum of **45 41** contests (games and scrimmages) with not more than 40 during the traditional segment and not more than five during the nontraditional segment, except for those contests excluded under Bylaw 17.20.5.3.

[17.20.5.1.1 unchanged.]

“17.20.5.2 Maximum Limitations — Student-Athlete. A student-athlete may participate in each academic year in a maximum of ~~45~~ **41** softball contests (games or scrimmages) with not more than 40 during the traditional segment and not more than five during the non-traditional segment. This limitation includes those contests in which the student represents the institution including competition as a member of the varsity, junior varsity or freshman team of the institution in accordance with Bylaws 17.02.4 and 17.02.8.”

[Remainder of 17.20 unchanged.]

T. Bylaws: Amend 17.21, pages 173-174, as follows:

[Division III, roll call]

“17.21 SQUASH, WOMEN’S. Regulations for computing the squash playing season are set forth in Bylaw 17.1, General Playing-Season Regulations. (Also see Figure 17-1.)

“17.21.1 Length of Playing Season. The length of an institution’s playing season in squash shall be limited to a maximum of ~~21~~ **19** weeks (traditional and nontraditional segments combined).

[17.21.2 through 17.21.4 unchanged.]

“17.21.5 Number of Dates of Competition.

“17.21.5.1 Maximum Limitations — Institutional. A member institution shall limit its total playing schedule with outside competition in squash during the institution’s playing season to a maximum of ~~15~~ **14** dates of competition, including not more than three tournaments that are counted as single dates of competition, except for those dates of competition excluded under Bylaws 17.21.5.3 and 17.21.5.4 (see Bylaw 20.11.3.3 for minimum contests and participants requirements).

[17.21.5.1.1 unchanged.]

“17.21.5.2 Maximum Limitations — Student-Athlete. An individual student-athlete may participate in each academic year in a maximum of ~~15~~ **14** dates of competition in squash, including not more than three tournaments that are counted as single dates of competition. This limitation includes those dates of competition in which the student represents the institution, including competition as a member of the varsity, junior varsity or freshman team of the institution in accordance with Bylaws 17.02.4 and 17.02.8.”

[Remainder of 17.21 unchanged.]

U. Bylaws: Amend 17.22, pages 175-177, as follows:

[Division III, roll call]

“17.22 SWIMMING. Regulations for computing the swimming

playing season are set forth in Bylaw 17.1, General Playing-Season Regulations. (Also see Figure 17-1.)

“17.22.1 Length of Playing Season. The length of an institution’s playing season in swimming shall be limited to a maximum of *21* **19** weeks (traditional and nontraditional segments combined).

“17.22.2 Preseason Practice. A member institution shall not commence practice sessions in swimming before the following dates:

“(a) Traditional Segment. *September 7 or the institution’s first day of classes for the fall term, whichever is earlier*
The date that permits a maximum of 19 weeks (as calculated pursuant to Bylaw 17.1.8) prior to the selection date for the NCAA Division III Swimming and Diving Championship.

[17.2.2-(b) unchanged.]

“17.22.3 First Date of Competition. A member institution shall not engage in its first date of competition (contest or scrimmage) with outside competition in swimming before the following dates:

“(a) Traditional Segment. *September 7 or the institution’s first day of classes for the fall term, whichever is earlier*
The date that permits a maximum of 19 weeks (as calculated pursuant to Bylaw 17.1.8) prior to the selection date for the NCAA Division III Swimming and Diving Championship.

[17.22.3-(b) unchanged.]

[17.22.4 unchanged.]

“17.22.5 Number of Dates of Competition.

“17.22.5.1 Maximum Limitations — Institutional. A member institution shall limit its total playing schedule with outside competition to a maximum of *16* **14** dates of competition, except for those dates of competition excluded under Bylaw 17.22.5.3 (see Bylaw 20.11.3.3 for minimum contests and participants requirements).

[17.22.5.1.1 unchanged.]

“17.22.5.2 Maximum Limitations — Student-Athlete. A student-athlete may participate in each academic year in a maximum of *16* **14** dates of competition. This limitation includes those dates of competition in which the student represents the institution, including competition as a member of the varsity, junior varsity or freshman team of the institution in accordance with Bylaws 17.02.4 and 17.02.8.”

[Remainder of 17.22 unchanged.]

V. Bylaws: Amend 17.23, pages 177-179, as follows:

[Division III, roll call]

“17.23 SYNCHRONIZED SWIMMING, WOMEN’S. Regulations for computing the synchronized swimming playing season are set forth in Bylaw 17.1, General Playing-Season Regulations. (Also see Figure 17-1.)

“17.23.1 Length of Playing Season. The length of an institution’s playing season in synchronized swimming shall be limited to a maximum of ~~21~~ **19** weeks (traditional and non-traditional segments combined).

[17.23.2 through 17.23.4 unchanged.]

“17.23.5 Number of Dates of Competition.

“17.23.5.1 Maximum Limitations — Institutional. A member institution shall limit its total playing schedule with outside competition in synchronized swimming during the institution’s synchronized swimming playing season to a maximum of ~~15~~ **14** dates of competition (meets and scrimmages), except for those dates of competition excluded under Bylaws 17.23.5.3 and 17.23.5.4.

[17.23.5.1.1 unchanged.]

“17.23.5.2 Maximum Limitations — Student-Athlete. An individual student-athlete may participate in each academic year in a maximum of ~~15~~ **14** dates of competition in synchronized swimming. This limitation includes those dates of competition in which the student represents the institution, including competition as a member of the varsity, junior varsity or freshman team of the institution in accordance with Bylaws 17.02.4 and 17.02.8.”

[Remainder of 17.23 unchanged.]

W. Bylaws: Amend 17.24, pages 179-181, as follows:

[Division III, roll call]

“17.24 TEAM HANDBALL, WOMEN’S. Regulations for computing the team handball playing season are set forth in Bylaw 17.1, General Playing-Season Regulations. (Also see Figure 17-1.)

“17.24.1 Length of Playing Season. The length of an institution’s playing season in team handball shall be limited to a maximum of ~~21~~ **19** weeks (traditional and nontraditional segments combined).

[17.24.2 through 17.24.4 unchanged.]

“17.24.5 Number of Dates of Competition.

“17.24.5.1 Maximum Limitations — Institutional. A member institution shall limit its total playing schedule with outside competition in team handball during the institution’s playing season to a maximum of ~~20~~ **18** dates of competition (meets and scrimmages), including not more than three tournaments that are counted as single dates of competition, except for those contests excluded under Bylaws 17.24.5.3 and 17.24.5.4.

[17.24.5.1.1 unchanged.]

“17.24.5.2 Maximum Limitations — Student-Athlete. An individual student-athlete may participate in each academic year in a maximum of *20* **18** dates of competition in team handball, including not more than three tournaments that are counted as single dates of competition. This limitation includes those dates of competition in which the student represents the institution, including competition as a member of the varsity, junior varsity or freshman team of the institution in accordance with Bylaws 17.02.4 and 17.02.8.”

[Remainder of 17.24 unchanged.]

X. Bylaws: Amend 17.25, pages 181-183, as follows:

[Division III, roll call]

“17.25 TENNIS. Regulations for computing the tennis playing season are set forth in Bylaw 17.1, General Playing-Season Regulations. (Also see Figure 17-1.)

“17.25.1 Length of Playing Season. The length of an institution’s playing season in tennis shall be limited to a maximum of *21* **19** weeks (traditional and nontraditional segments combined).

“17.25.2 Preseason Practice. A member institution shall not commence practice sessions in tennis before the following dates:

“(a) Traditional Segment. *September 7 or the institution’s first day of classes for the fall term, whichever is earlier*
The date that permits a maximum of 14 weeks (as calculated pursuant to Bylaw 17.1.8) prior to the selection date for the NCAA Division III Tennis Championship.

[17.25.2 -(a)-(1) unchanged.]

[17.25.2 -(b) unchanged.]

“17.25.3 First Date of Competition. A member institution shall not engage in its first date of competition (match or practice match) with outside competition in tennis before the following dates:

“(a) Traditional Segment. *September 7 or the institution’s first day of classes for the fall term, whichever is earlier*
he date that permits a maximum of 19 weeks (as calculated pursuant to Bylaw 17.1.8) prior to the selection date for the NCAA Division III Tennis Championship.

[17.25.3 -(a)-(1) unchanged.]

[17.25.3 -(b) unchanged.]

[17.25.4 unchanged.]

“17.25.5 Number of Dates of Competition.

“17.25.5.1 Maximum Limitations — Institutional. A

member institution shall limit its total playing schedule with outside competition to a maximum of ~~20~~ **18** dates of competition, including not more than four individual singles and/or doubles tournaments that are counted as single dates of competition, except for those dates of competition excluded under Bylaws 17.25.5.3, 17.25.5.4 and 17.25.5.5 (see Bylaw 20.11.3.3 for minimum contests and participants requirements).

[17.25.5.1.1 through 17.25.5.1.3 unchanged.]

“17.25.5.2 Maximum Limitations — Student-Athlete. An individual student-athlete may participate in each academic year in a maximum of ~~20~~ **18** dates of competition, including not more than four individual singles and/or doubles tournaments that are counted as single dates of competition. This limitation includes those contests in which the student represents the institution, including competition as a member of the varsity, junior varsity or freshman team of the institution in accordance with Bylaws 17.02.4 and 17.02.8.”

[Remainder of 17.25 unchanged.]

Y. Bylaws: Amend 17.26, pages 183-185, as follows:

[Division III, roll call]

“17.26 TRACK AND FIELD, INDOOR/OUTDOOR. Regulations for computing the indoor/outdoor track and field playing season are set forth in Bylaw 17.1, General Playing-Season Regulations. (Also see Figure 17-1.)

“17.26.1 Length of Playing Season. The length of an institution’s playing season in indoor and outdoor track and field shall be limited to the following:

“(a) An institution that sponsors only indoor or outdoor track and field (but not both) shall be limited to a maximum playing season of ~~21~~ **19** weeks.

“(b) An institution that sponsors both indoor and outdoor track and field shall be limited to a maximum playing season of ~~26~~ **24** weeks.

[17.26.1.1 unchanged.]

“17.26.2 Preseason Practice. A member institution shall not commence practice sessions in indoor and outdoor track and field before the following dates:

“(a) Traditional Segment. *September 7 or the institution’s first day of classes for the fall term, whichever is earlier*
The date that permits a maximum of 14 weeks (or 24 weeks for a combined program) (as calculated pursuant to Bylaw 17.1.8) prior to the selection date for the NCAA Division III Indoor or Outdoor Track and Field Championships (outdoor championships for a combined program).

[17.26.2-(b) unchanged.]

“17.26.3 First Date of Competition. A member institution shall not engage in its first date of competition (meet or practice meet) with outside competition in indoor and outdoor track and field before the following dates:

“(a) Traditional Segment. *September 7 or the institution’s first day of classes for the fall term, whichever is earlier*
The date that permits a maximum of 19 weeks (or 24 weeks for a combined program) (as calculated pursuant to Bylaw 17.1.8) prior to the selection date for the NCAA Division III Indoor or Outdoor Track and Field Championships (outdoor championships for a combined program).

[17.26.3-(b) unchanged.]

[17.26.4 unchanged.]

“17.26.5 Number of Dates of Competition.

“17.26.5.1 Maximum Limitations - Institutional. A member institution shall limit its total playing schedule with outside competition in the sport of indoor/outdoor track and field during the permissible indoor/outdoor track and field playing season to a maximum of **18 16** dates of competition in indoor/outdoor track and field combined, except for those dates of competition excluded under Bylaw 17.26.5.3.

[17.26.5.1.1 unchanged.]

“17.26.5.2 Maximum Limitations — Student-Athlete. A student-athlete may participate in each academic year in not more than **18 16** dates of competition in indoor/outdoor track and field combined. This limitation includes those contests in which the student represents the institution, including competition as a member of the varsity, junior varsity or freshman team of the institution in accordance with Bylaws 17.02.4 and 17.02.8.”

[Remainder of 17.26 unchanged.]

Z. Bylaws: Amend 17.27, pages 186-188, as follows:

[Division III, roll call]

“17.27 VOLLEYBALL. Regulations for computing the volleyball playing season are set forth in Bylaw 17.1, General Playing-Season Regulations. (Also see Figure 17-1.)

“17.27.1 Length of Playing Season. The length of an institution’s playing season in volleyball shall be limited to:

“(a) Men - A **21 19**-week season, which may consist of two segments (each consisting of consecutive *days* **weeks**) and which may exclude only *required off days per Bylaw 17.1.5* and official vacation, holiday and final-examination periods during which no practice or competition shall occur.

“(b) Women - A maximum of **21 18** weeks (traditional and nontraditional segments combined).

[17.27.2 through 17.27.3 unchanged.]

“17.27.4 Preseason Practice — Men. A member institution shall not commence practice sessions in men’s volleyball before **the following dates:**

“(a) **Traditional Segment.** The date that permits a maximum of 14 weeks (as calculated pursuant to Bylaw 17.1.8) prior to the selection date for the National Collegiate Men’s Volleyball Championship.

“(b) **Nontraditional Segment.** September 7 or the institution’s first day of classes for the fall term, whichever is earlier.

“17.27.5 First Date of Competition — Men. A member institution shall not engage in its first date of competition (game or scrimmage) with outside competition in men’s volleyball before **the following dates:**

“(a) **Traditional Segment.** The date that permits a maximum of 14 weeks (as calculated pursuant to Bylaw 17.1.8) prior to the selection date for the National Collegiate Men’s Volleyball Championship.

“(b) **Nontraditional Segment.** September 7 or the institution’s first day of classes for the fall term, whichever is earlier.

[17.27.6 through 17.27.7 unchanged.]

“17.27.8 Number of Dates of Competition — Women.

“17.27.8.1 Maximum Limitations — Institutional. A member institution shall limit its total playing schedule with outside competition in the sport of women’s volleyball during the institution’s women’s volleyball playing season to a maximum of 22 **23** dates of competition **with not more than 22** during the traditional segment and **not more than** four during the nontraditional segment, except for those dates of competition excluded under Bylaw 17.27.10.

[17.27.8.1.1 unchanged.]

“17.27.8.2 Maximum Limitations — Student-Athlete — Women. A student-athlete may participate each academic year in a maximum of 22 **23** dates of competition **with not more than 22** during the traditional segment and **not more than** four during the nontraditional segment in women’s volleyball. This limitation includes those dates of competition in which the student represents the institution, including competition as a member of the varsity, junior varsity or freshman team of the institution in accordance with Bylaws 17.02.4 and 17.02.8.

“17.27.9 Number of Dates of Competition — Men.

“17.27.9.1 Maximum Limitations — Institutional. A member institution shall limit its total playing schedule with outside competition in the sport of men’s volleyball during the institution’s men’s volleyball playing season to a maximum of ~~28~~ **29** dates of competition **with not more than 28** during the **traditional** segment *in which the NCAA championship is conducted* and not more than four dates of competition during *another* **the nontraditional** segment, except for those dates of competition excluded under Bylaw 17.27.9.”

[17.27.9.1.1 unchanged.]

17.27.9.2 Maximum Limitations — Student-Athlete — Men. An individual student-athlete may participate each academic year in a maximum of ~~28~~ **29** dates of competition **with not more than 28** in men’s volleyball during the **traditional** segment *in which the NCAA championship is conducted* and not more than four dates of competition during *another* **the nontraditional** segment. This limitation includes those dates of competition in which the student represents the institution, including competition as a member of the varsity, junior varsity or freshman team of the institution in accordance with Bylaws 17.02.4 and 17.02.8.

[Remainder of 17.27 unchanged.]

AA. Bylaws: Amend 17.28, pages 189-191, as follows:

[Division III, roll call]

“17.28 WATER POLO. Regulations for computing the men’s and women’s water polo playing season are set forth in Bylaw 17.1, General Playing-Season Regulations. (Also see Figure 17-1.)

“17.28.1 Length of Playing Season. The length of an institution’s playing season in water polo shall be limited to:

“(a) **Women — a** ~~A 21~~ **19-week** season, which may consist of two segments (each consisting of consecutive *days* **weeks**) and which may exclude only *required off days per Bylaw 17.1.5* and official vacation, holiday and final-examination periods during which no practice or competition shall occur.

“(b) **Men — A maximum of 18 weeks (traditional and nontraditional segments combined).**

“17.28.2 Preseason Practice — Men. A member institution shall not commence practice sessions in men’s water polo before **the following dates:**

“(a) **Traditional Segment.** ~~t~~The date that permits a maximum of 21 permissible practice opportunities (see Bylaw 17.02.11) before the first scheduled intercollegiate contest.

“(b) **Nontraditional Segment. For an institution that**

conducts its nontraditional segment in the fall, September 1. For an institution that conducts its nontraditional segment in the Spring, February 1. (See Bylaw 17.1.9.2).

“17.28.3 Preseason Practice — Women. A member institution shall not commence practice sessions in the sport of women’s water polo before the following dates:

“(a) Traditional Segment. *September 7 or the institution’s first day of classes for the fall term, whichever is earlier*
The date that permits a maximum of 14 weeks (as calculated pursuant to Bylaw 17.1.8) prior to the selection date for the National Collegiate Women’s Water Polo Championship.

[17.28.3-(b) unchanged.]

“17.28.4 First Date of Competition — Men. A member institution shall not engage in its first date of competition (game or scrimmage) with outside competition in men’s water polo before **the following dates:**

“(a) **Traditional Segment.** *t*The first Saturday in September.

“(b) **Nontraditional Segment.** **For an institution that conducts its nontraditional segment in the fall, September 1. For a institution that conducts its nontraditional segment in the spring, February 1. (See Bylaw 17.1.9.2.)**

“17.28.5 First Date of Competition — Women. In the sport of women’s water polo, a member institution shall not engage in its first date of competition (game or scrimmage) with outside competition before **the following dates:**

“(a) **Traditional Segment.** **The date that permits a maximum of 14 weeks (as calculated pursuant to Bylaw 17.1.8) prior to the selection date for the National Collegiate Women’s Water Polo Championship.**

“(b) **Nontraditional Segment.** **For an institution that conducts its nontraditional segment in the fall, September 7 or the institution’s first day of classes for the fall term, whichever is earlier. For an institution that conducts its nontraditional segment in the spring, February 1. (See Bylaw 17.1.9.2.)**

[17.28.6 and 17.28.7 unchanged.]

“17.28.8 Number of Dates of Competition.

“17.28.8.1 Maximum Limitations — Institutional. A member institution shall limit its total playing schedule with outside competition in the sport of water polo during the institution’s water polo playing season to **21 19** dates of competition, except for those dates of competition excluded under Bylaws 17.27.6.3, 17.27.6.4 and 17.27.6.5.

[17.28.8.1.1 unchanged.]

“17.28.8.2 Maximum Limitations — Student-Athlete. An individual student-athlete may participate in each academic year in not more than ~~21~~ **19** dates of competition in water polo. This limitation includes those contests in which the student represents the institution in accordance with Bylaw 17.02.8, including competition as a member of the varsity, junior varsity or freshman team of the institution.”

[Remainder of 17.28 unchanged.]

BB. Bylaws: Amend 17.29, pages 191-193, as follows:

[Division III, roll call]

“17.29 WRESTLING. Regulations for computing the wrestling playing season are set forth in Bylaw 17.1, General Playing-Season Regulations. (Also see Figure 17-1.)

“17.29.1 Length of Playing Season. The length of an institution’s playing season in wrestling shall be limited to a maximum of ~~21~~ **19** weeks (traditional and nontraditional segments combined).

“17.29.2 Preseason Practice. A member institution shall not commence practice sessions in wrestling before the following dates:

“(a) Traditional Segment. *September 7 or the institution’s first day of classes for the fall term, whichever is earlier* **The date that permits a maximum of 19 weeks (as calculated pursuant to Bylaw 17.1.8) prior to the selection date for the NCAA Division III Wrestling Championship.**

[17.29.2-(b) unchanged.]

“17.29.3 First Date of Competition. A member institution shall not engage in its first date of competition (match or scrimmage) with outside competition in wrestling before the following dates:

“(a) Traditional Segment. *September 7 or the institution’s first day of classes for the fall term, whichever is earlier* **The date that permits a maximum of 19 weeks (as calculated pursuant to Bylaw 17.1.8) prior to the selection date for the NCAA Division III Wrestling Championship.**

[17.29.3-(b) unchanged.]

[17.29.4 unchanged.]

“17.29.5 Number of Dates of Competition.

“17.29.5.1 Maximum Limitations — Institutional. A member institution shall limit its total playing schedule with outside competition in the sport of wrestling during the permissible wrestling playing season to a maximum of ~~16~~ **14** dates of competition, which may include not more than two two-day meets that shall each count

as a single date of competition, except for those dates of competition excluded under Bylaws 17.29.5.3, 17.29.5.4 and 17.29.5.5 (see Bylaw 20.11.3.3 for minimum contests and participants requirements).

[17.29.5.1.1 unchanged.]

“17.29.5.2 Maximum Limitations — Student-Athlete. An individual student-athlete may participate in each academic year in a maximum of ~~16~~ **14** dates of competition in wrestling, which may include not more than two two-day meets that shall each count as a single date of competition. This limitation includes those dates of competition in which the student represents the institution, including competition as a member of the varsity, junior varsity or freshman team of the institution in accordance with Bylaws 17.02.4 and 17.02.8.”

[Remainder of 17.29 unchanged.]

Source: NCAA Division III Presidents Council [Management Council (Playing and Practice Seasons Subcommittee)].

Effective Date: August 1, 2006

Rationale: This proposal will reduce the length of the overall playing season and related contest limits by approximately 10 percent. It treats all sports equitably, and is consistent with the results of the membership survey, in which a majority of respondents supported an overall modification of in the length of the playing season as well as the establishment of reasonable contest limits. The playing season and contest reductions are linked, so that student-athletes will not face a reduced season length with current contest limits. The combined (traditional and nontraditional) contest maximums provide for institutional autonomy and flexibility in the allocation of contests between the traditional and nontraditional segments. Finally, the delayed effective date of August 1, 2006, will accommodate for existing schedules.

Action: Defeated, 262-151-2.

NO. 61 (NO. 2-62) PLAYING AND PRACTICE SEASONS — LENGTH OF PLAYING SEASON

Intent: To specify that the length of the playing season shall not exceed 18 weeks for fall sports and 19 weeks for winter and spring sports.

A. Bylaws: Amend 17.1.4, page 128, as follows:

[Division III, roll call]

“17.1.4 Sports Subject to Segment Limitations. Segment limitations are applicable to all team sports that are listed under Bylaw 17.02.12.1 and all individual sports listed under Bylaw 17.02.12.2. In those sports for which the National Collegiate Championship is the only NCAA championships opportunity

(see Bylaw 18.3), an institution's playing season shall be limited to **21 19** weeks **for winter and spring sports and not more than 18 weeks for fall sports**. Division III sports are subject to all Division III playing and practice seasons legislation, regardless of the championship opportunities (e.g., national collegiate championships, national governing body) available in those sports."

- B. Bylaws:** Amend 17.1.9.4 by adding new 17.1.9.4.1, page 129, as follows:

[Division III, roll call]

"17.1.9.4 Traditional and Nontraditional Segment Length — Baseball, Field Hockey, Lacrosse, Soccer, Softball and Women's Volleyball. All practice and competition during the nontraditional segment shall be limited to a maximum of five weeks.

"17.1.9.4.1 Exception — Golf, Women's Rowing and Tennis. In women's rowing, an institution's nontraditional segment may exceed five weeks. In addition, an institution that conducts its traditional segment in golf or tennis in the fall and meets the requirements of Bylaw 17.1.9.3 may have a nontraditional segment that exceeds five weeks."

- C. Bylaws:** Amend 17.2.1, page 134, as follows:

[Division III, roll call]

"17.2.1 Length of Playing Season. The length of an institution's playing season in archery shall be limited to a maximum of **21 19** weeks (traditional and nontraditional segments combined)."

- D. Bylaws:** Amend 17.3.1, page 136, as follows:

[Division III, roll call]

"17.3.1 Length of Playing Season. The length of an institution's playing season in badminton shall be limited to a maximum of **21 19** weeks (traditional and nontraditional segments combined)."

- E. Bylaws:** Amend 17.4.1, page 138, as follows:

[Division III, roll call]

"17.4.1 Length of Playing Season. The length of an institution's playing season in baseball shall be limited to a maximum of **21 19** weeks (traditional and nontraditional segments combined)."

- F. Bylaws:** Amend 17.5.1, page 140, as follows:

[Division III, roll call]

"17.5.1 Length of Playing Season. The length of an institution's playing season in basketball shall be limited to a maximum of **21 19** weeks between the start of preseason practice (see Bylaw 17.5.2) and the end of the regular playing season (see Bylaw 17.5.4). This **21 19**-week period includes permissible conditioning activities as set forth in Bylaw 17.5.2.1.1. Guidelines for computing the basketball playing season are set forth in Bylaw

17.1, General Playing-Season Regulations.”

- G. Bylaws:** Amend 17.6.1, page 142, as follows:

[Division III, roll call]

“17.6.1 Length of Playing Season. The length of an institution’s playing season in bowling shall be limited to a maximum of **21 19** weeks (traditional and nontraditional segments combined).”

- H. Bylaws:** Amend 17.7.1, page 144, as follows:

[Division III, roll call]

“17.7.1 Length of Playing Season. The length of an institution’s playing season in cross country shall be limited to a maximum of **21 18** weeks (traditional and nontraditional segments combined).”

[17.7.1.1 unchanged.]

- I. Bylaws:** Amend 17.9.1, page 147, as follows:

[Division III, roll call]

“17.9.1 Length of Playing Season. The length of an institution’s playing season in fencing shall be limited to a **21 19**-week season, which may consist of two segments (each consisting of consecutive days) and which may exclude only required off days per Bylaw 17.1.7 and official vacation, holiday and final-examination periods during which no practice or competition shall occur.”

- J. Bylaws:** Amend 17.10.1, page 149, as follows:

[Division III, roll call]

“17.10.1 Length of Playing Season. The length of an institution’s playing season in field hockey shall be limited to a maximum of **21 18** weeks (traditional and nontraditional segments combined).”

- K. Bylaws:** Amend 17.11.1, page 151, as follows:

[Division III, roll call]

“17.11.1 Length of Playing Season. The length of an institution’s playing season in football shall be limited to a maximum of **21 18** weeks between the start of preseason practice (see Bylaw 17.11.2) and the end of the regular playing season (see Bylaw 17.11.4). This **21 18**-week period includes preseason practice activities as set forth in Bylaw 17.11.2. Guidelines for computing the football playing season are set forth in Bylaw 17.1, General Playing-Season Regulations. (See Bylaw 17.11.3 for restrictions on first contest dates.)”

- L. Bylaws:** Amend 17.12.1, page 154, as follows:

[Division III, roll call]

“17.12.1 Length of Playing Season. The length of an institution’s playing season in golf shall be limited to a maximum of **21 19** weeks (traditional and nontraditional segments combined).”

- M. Bylaws:** Amend 17.13.1, page 156, as follows:

[Division III, roll call]

“17.13.1 Length of Playing Season. The length of an institution’s playing season in gymnastics shall be limited to a 21 **19**-week season, which may consist of two segments (each consisting of consecutive days) and which may exclude only required off days per Bylaw 17.1.7 and official vacation, holiday and final-examination periods during which no practice or competition shall occur.”

- N. Bylaws:** Amend 17.14.1, page 158, as follows:

[Division III, roll call]

“17.14.1 Length of Playing Season. The length of an institution’s playing season in ice hockey shall be limited to a maximum of 21 **19** weeks (traditional and nontraditional **segments** combined).”

- O. Bylaws:** Amend 17.15.1, page 160, as follows:

[Division III, roll call]

“17.15.1 Length of Playing Season. The length of an institution’s playing season in lacrosse shall be limited to a maximum of 21 **19** weeks (traditional and nontraditional segments combined).”

- P. Bylaws:** Amend 17.16.1, page 162, as follows:

[Division III, roll call]

“17.16.1 Length of Playing Season. The length of an institution’s playing season in rifle shall be limited to a 21 **19**-week season, which may consist of two segments (each consisting of consecutive days) and which may exclude only required off days per Bylaw 17.1.7 and official vacation, holiday and final-examination periods during which no practice or competition shall occur.”

- Q. Bylaws:** Amend 17.17.1, page 164, as follows:

[Division III, roll call]

“17.17.1 Length of Playing Season. The length of an institution’s playing season in rowing shall be limited to a 21 **19**-week season, which may consist of two segments (each consisting of consecutive days) and which may exclude only required off days per Bylaw 17.1.7 and official vacation, holiday and final-examination periods during which no practice or competition shall occur.”

- R. Bylaws:** Amend 17.18.1, page 166, as follows:

[Division III, roll call]

“17.18.1 Length of Playing Season. The length of an institution’s playing season in skiing shall be limited to a 21 **19**-week season, which may consist of two segments (each consisting of consecutive days) and which may exclude only required off days per Bylaw 17.1.7 and official vacation, holiday and final-examination periods during which no practice or competition shall occur.”

- S. Bylaws:** Amend 17.19.1, page 168, as follows:

[Division III, roll call]

“17.19.1 Length of Playing Season. The length of an institution’s playing season in soccer shall be limited to a maximum of 21 **18**

weeks (traditional and nontraditional segments combined).”

T. Bylaws: Amend 17.20.1, page 170, as follows:

[Division III, roll call]

“17.20.1 Length of Playing Season. The length of an institution’s playing season in softball shall be limited to a maximum of **21 19** weeks (traditional and nontraditional segments combined).”

U. Bylaws: Amend 17.21.1, page 173, as follows:

[Division III, roll call]

“17.21.1 Length of Playing Season. The length of an institution’s playing season in squash shall be limited to a maximum of **21 19** weeks (traditional and nontraditional segments combined).”

V. Bylaws: Amend 17.22.1, page 175, as follows:

[Division III, roll call]

“17.22.1 Length of Playing Season. The length of an institution’s playing season in swimming shall be limited to a maximum of **21 19** weeks (traditional and nontraditional segments combined).”

W. Bylaws: Amend 17.23.1, page 177, as follows:

[Division III, roll call]

“17.23.1 Length of Playing Season. The length of an institution’s playing season in synchronized swimming shall be limited to a maximum of **21 19** weeks (traditional and nontraditional segments combined).”

X. Bylaws: Amend 17.24.1, page 179, as follows:

[Division III, roll call]

“17.24.1 Length of Playing Season. The length of an institution’s playing season in team handball shall be limited to a maximum of **21 19** weeks (traditional and nontraditional segments combined).”

Y. Bylaws: Amend 17.25.1, page 181, as follows:

[Division III, roll call]

“17.25.1 Length of Playing Season. The length of an institution’s playing season in tennis shall be limited to a maximum of **21 19** weeks (traditional and nontraditional segments combined).”

Z. Bylaws: Amend 17.26.1, page 183, as follows:

[Division III, roll call]

“17.26.1 Length of Playing Season. The length of an institution’s playing season in indoor and outdoor track and field shall be limited to the following:

“(a) An institution that sponsors only indoor or outdoor track and field (but not both) shall be limited to a maximum playing season of **21 19** weeks.

“(b) An institution that sponsors both indoor and outdoor track and field shall be limited to a maximum playing season of **26 24** weeks.

[17.26.1.1 unchanged.]

AA. Bylaws: Amend 17.27.1, page 186, as follows:

[Division III, roll call]

“17.27.1 Length of Playing Season. The length of an institution’s playing season in volleyball shall be limited to the following:

“(a) An institution that sponsors volleyball shall be limited to a maximum playing season of ~~21~~ **19** weeks.

“(b) An institution that sponsors volleyball shall be limited to a maximum playing season of ~~26~~ **24** weeks.

BB. Bylaws: Amend 17.28.1, page 189, as follows:

[Division III, roll call]

“17.28.1 Length of Playing Season. The length of an institution’s playing season in water polo shall be limited to a ~~21~~ **19**-week season, which may consist of two segments (each consisting of consecutive days) and which may exclude only required off days per Bylaw 17.1.5 and official vacation, holiday and final-examination periods during which no practice or competition shall occur.”

CC. Bylaws: Amend 17.29.1, page 191, as follows:

[Division III, roll call]

“17.29.1 Length of Playing Season. The length of an institution’s playing season in wrestling shall be limited to a maximum of ~~21~~ **19** weeks (traditional and nontraditional segments combined).”

Source: College Conference of Illinois and Wisconsin and Iowa Inter-collegiate Athletic Conference.

Effective Date: August 1, 2004

Rationale: This proposal standardizes Bylaw 17, based on the 60 percent model recommended by the NCAA Division III Management Council Playing and Practice Seasons Subcommittee at the 2003 NCAA Convention, without reducing the amount of competition currently permitted. This proposal would codify the current practice of Division III playing and practice seasons, as most sports are unable to achieve the current 21-week playing season. Further, the proposal strives to maintain a balance between the academic and athletics pursuits of Division III student-athletes.

Committee Position (Management Council Playing and Practice Seasons Subcommittee): The NCAA Division III Management Council Playing and Practice Seasons Subcommittee prefers Presidents Council Proposal No. 60 (Playing and Practice Seasons — Length of Seasons and Contests Limits) which gives flexibility to amount of games played in the nontraditional segment.

Action: Adopted, 238-180-1.

***NO. 62 (NO. 2-64) PLAYING AND PRACTICE SEASONS —
NONTRADITIONAL SEGMENT —
ELIMINATION OF CONTESTS**

Intent: In all sports except golf and tennis, to eliminate all competition in the nontraditional segment.

A. Bylaws: Amend 17.1.6.1, page 128, as follows:

[Division III, roll call]

“17.1.6.1 Missed Class Time for Competition in the Nontraditional Segment — Baseball, Field Hockey, Lacrosse, Soccer, Softball and Women’s Volleyball. No class time shall be missed for competition during the nontraditional segment.”

B. Bylaws: Amend 17.1.7, page 128, as follows:

[Division III, roll call]

“17.1.7 General Regulations for Computing Playing Seasons Applicable to All Sports.

“(a) Practice Only, Nontraditional Segment. The nontraditional segment shall be counted as part of the institution’s declared playing season, *regardless of whether competition occurs during that segment*;

[17.1.7-(b) through 17.1.7-(h) unchanged.]

C. Bylaws: Amend 17.1.9, page 129, as follows:

[Division III, roll call]

“17.1.9 Contest and Segment Limitations.

“17.1.9.1 Contests in Nontraditional Segment. In all sports except golf and tennis, no competition shall be conducted during the nontraditional segment.

“17.1.9.12 Combining Traditional and Nontraditional Segments. *In those sports that have different contest limitations in the traditional and nontraditional segments* **In golf and tennis**, a member institution that conducts a single continuous traditional segment in a sport (rather than dividing its playing season for that sport into two distinct segments as permitted in Bylaw 17.1.2) shall be limited to the number of contests or dates of competition permitted only for the traditional segment of that sport.

“17.1.9.23 Dividing Traditional and Nontraditional Segments. A member institution that divides its practice and playing season into two distinct segments per Bylaw 17.1.2 and conducts its nontraditional segment in the fall must complete all practice and competition by October 30 of the academic year involved; conversely, a member institution that conducts its traditional segment in the fall may not begin practice or competition during its nontraditional segment until February 1 of the academic year involved.

“17.1.9.34 Conducting More than 50 Percent of Schedule in Golf and Tennis during Nontraditional Segment. A member

institution that conducts its nontraditional segment in the fall and that schedules more than 50 percent of its contests or dates of competition (including the conference championship) in the nontraditional segment may elect to utilize the preseason practice and first-date-of-competition regulations applicable to the traditional segment as set forth in Bylaws 17.12.2, 17.12.3, 17.25.2 and 17.25.3.

“17.1.9.45 Traditional and Nontraditional Segment Length — Baseball, Field Hockey, Lacrosse, Soccer, Softball and Women’s Volleyball. All practice and competition during the nontraditional segment shall be limited to a maximum of five weeks. No competition shall take place during the nontraditional segment.”

D. Bylaws: Amend 17.4.5, pages 138-139, as follows:

[Division III, roll call]

“17.4.5 Number of Contests

“17.4.5.1 Maximum Limitations — Institutional. A member institution shall limit its total playing schedule with outside competition in the sport of baseball during the institution’s baseball playing season to a maximum of 45 40 contests (games and scrimmages), with not more than 40 during the traditional segment and not more than five during the nontraditional segment, except for those contests excluded under Bylaw 17.4.5.3. No competition shall take place during the nontraditional segment.

“ [17.4.5.1.1 unchanged.]”17.4.5.2 Maximum Limitations — Student-Athlete. An individual student-athlete may participate in each academic year in a maximum of 45 40 baseball contests (games and scrimmages) with not more than 40 during the traditional segment and not more than five during the nontraditional segment. This limitation includes those contests in which the student-athlete represents the institution including competition as a member of the varsity, junior varsity or freshman team of the institution in accordance with Bylaws 17.02.4 and 17.02.8.”

[Remainder of 17.4.5 unchanged.]

E. Bylaws: Amend 17.10.5, pages 149-150, as follows:

[Division III, roll call]

“17.10.5 Number of Contests and Dates of Competition.

“17.10.5.1 Maximum Limitations — Institutional. A member institution shall limit its total playing schedule with outside competition in the sport of field hockey during the institution’s field hockey playing season in any one year to 20 contests during the segment in which the NCAA championship is conducted and four dates of competition during another segment, except for those contests or dates of competition excluded under Bylaws 17.10.5.3, 17.10.5.4 and 17.10.5.5 [see also Bylaw 17.10.3-(a)]. No competi-

tion shall take place during the nontraditional segment.

[17.10.5.1.1 unchanged.]

“17.10.5.2 Maximum Limitations — Student-Athlete. A student-athlete may participate in a maximum of 20 field hockey contests during the segment in which the NCAA championship is conducted *and four dates of competition in field hockey during another segment*. This limitation includes those contests or dates of competition in which the student represents the institution, including competition as a member of the varsity, junior varsity or freshman team of the institution in accordance with Bylaws 17.02.4 and 17.02.8.”

[Remainder of 17.10.5 unchanged.]

F. Bylaws: Amend 17.15.5, pages 161-162, as follows:

[Division III, roll call]

“17.15.5 Number and Dates of Competition.

“17.15.5.1 Maximum Limitations — Institutional. A member institution shall limit its total playing schedule with outside competition in the sport of lacrosse during the institution’s lacrosse playing season to a maximum of 17 dates of competition, *with not more than four dates of competition during the nontraditional segment*, except for those contests excluded under Bylaws 17.15.5.3, 17.15.5.4 and 17.15.5.5. **No competition shall take place during the nontraditional segment.**

[17.15.5.1.1 unchanged.]

“17.15.5.2 Maximum Limitations — Student-Athlete. A student-athlete may participate in each academic year in a maximum of 17 dates of competition, *with not more than four dates of competition during the nontraditional segment*. This limitation includes those contests in which the student represents the institution, including competition as a member of the varsity, junior varsity or freshman team of the institution in accordance with Bylaws 17.02.4 and 17.02.8.”

[Remainder of 17.15.5 unchanged.]

G. Bylaws: Amend 17.19.5, pages 169-170, as follows:

[Division III, roll call]

“17.19.5 Number of Contests and Dates of Competition.

“17.19.5.1 Maximum Limitations — Institutional. A member institution shall limit its total playing schedule against outside competition in the sport of soccer during the institution’s soccer playing season in any one year to a maximum of 20 contests during the segment in which the NCAA championship is conducted *and four dates of competition during another segment*, except for those contests and/or dates of competition excluded under Bylaws 17.19.5.3, 17.19.5.4 and 17.19.5.5 [see also Bylaw 17.19.4-

(a)]. **No competition shall take place during the non-traditional segment.**

[17.19.5.1.1 unchanged.]

“17.19.5.2 Maximum Limitations — Student-Athlete. A student-athlete may participate in each academic year in a maximum of 20 soccer contests during the segment in which the NCAA championship is conducted *and four dates of competition in soccer during another segment*. This limitation includes those contests in which the student represents the institution, including competition as a member of the varsity, junior varsity or freshman team of the institution in accordance with Bylaws 17.02.4 and 17.02.8.”

[Remainder of 17.19.5 unchanged.]

H. Bylaws: Amend 17.20.5, pages 171-172, as follows:

[Division III, roll call]

“17.20.5 Number of Contests.

“17.20.5.1 Maximum Limitations — Institutional. A member institution shall limit its total playing schedule with outside competition in the sport of softball during the institution’s softball playing season to a maximum of ~~45~~ **40** contests (games and scrimmages) *with not more than 40 during the traditional segment and not more than five during the nontraditional segment*, except for those contests excluded under Bylaw 17.20.5.3. **No competition shall take place during the nontraditional segment.**

[17.20.5.1.1 unchanged.]

“17.20.5.2 Maximum Limitations — Student-Athlete. A student-athlete may participate in each academic year in a maximum of ~~45~~ **40** softball contests (games or scrimmages) *with not more than 40 during the traditional segment and not more than five during the nontraditional segment*. This limitation includes those contests in which the student represents the institution including competition as a member of the varsity, junior varsity or freshman team of the institution in accordance with Bylaws 17.02.4 and 17.02.8.”

[Remainder of 17.20.5 unchanged.]

I. Bylaws: Amend 17.27.8, page 186, as follows:

[Division III, roll call]

“17.27.8 Number of Dates of Competition — Women.

“17.27.8.1 Maximum Limitations — Institutional. A member institution shall limit its total playing schedule with outside competition in the sport of women’s volleyball during the institution’s women’s volleyball playing season to a maximum of 22 *dates of competition during the traditional segment and four during the nontraditional segment*, except for those dates of competition excluded under Bylaw 17.27.10. **No competition shall take place during the nontraditional segment.**

[17.27.8.1.1 unchanged.]

“17.27.8.2 Maximum Limitations — Student-Athlete — Women. A student-athlete may participate each academic year in a maximum of 22 dates of competition *during the traditional segment and four during the nontraditional segment in women’s volleyball*. This limitation includes those dates of competition in which the student represents the institution, including competition as a member of the varsity, junior varsity or freshman team of the institution in accordance with Bylaws 17.02.4 and 17.02.8.”

[Remainder of 17.27.8 unchanged.]

Source: College Conference of Illinois and Wisconsin and Iowa Intercollegiate Athletic Conference.

Effective Date: August 1, 2004

Rationale: This proposal will further reduce the demands and challenges placed on institutional personnel, facilities and participating student-athletes while maintaining the benefit of practice during the nontraditional segment. Eliminating the ability to compete during the nontraditional segment will enable student-athletes to participate in other campus activities along with fellow students. The opportunity for student-athletes to further their athletics skill and ability will remain as practice opportunities during the nontraditional segment will not change. The sports of golf and tennis, in accordance with NCAA Bylaw 17.1.9.3, would retain the ability to compete the nontraditional segment.

Committee Position (Management Council Playing and Practice Seasons Subcommittee): The NCAA Division III Management Council Playing and Practice Seasons Subcommittee prefers Presidents Council Proposal No. 60 (Playing and Practice Seasons — Length of Seasons and Contests Limits) which gives flexibility to amount of games played in the nontraditional segment.

Action: Defeated, 234-181-5, as amended by No. 62-1.

***NO. 62-1**

**PLAYING AND PRACTICE SEASONS —
NONTRADITIONAL SEGMENT —
ELIMINATION OF CONTESTS**

Intent: To add women’s rowing to the sports exempt from the elimination of all competition in the nontraditional segment.

Bylaws: Amend Proposal No. 62, Part C, 17.1.9, as follows:

[Division III, roll call]

“17.1.9 Contest and Segment Limitations.

“17.1.9.1 Contests in Nontraditional Segment. In all sports except golf, **rowing** and tennis, no competition shall be conducted during the nontraditional segment.

“17.1.9.2 Combining Traditional and Nontraditional Seg-

ments. In golf, **rowing** and tennis, a member institution that conducts a single continuous traditional segment in a sport (rather than dividing its playing season for that sport into two distinct segments as permitted in Bylaw 17.1.2) shall be limited to the number of contests or dates of competition permitted only for the traditional segment of that sport.”

[Remainder of 17.1.9 unchanged.]

Source: College Conference of Illinois and Wisconsin and the Iowa Intercollegiate Athletic Conference.

Effective Date: August 1, 2004

Rationale: Women’s rowing traditionally conducts competition in both the fall (nontraditional) and spring (traditional) seasons due to weather-related issues. On average, women’s rowing teams compete in four competitions in the fall. As such, women’s rowing should be treated similarly golf and tennis and exempt from the elimination of all competition in the nontraditional segment.

Action: Adopted, 309-64-37. (Proposal No. 62’s defeat rendered this proposal moot.).

NO. 63 (NO. 2-63) PLAYING AND PRACTICE SEASONS — NONTRADITIONAL SEGMENT — PRACTICE AND CONTEST LIMITATIONS

Intent: In baseball, field hockey, football, lacrosse, soccer, softball and women’s volleyball, to limit practice and competition in the nontraditional segment to 16 practices, including one date of competition.

A. Bylaws: Amend 17.1.6.1, page 128, as follows:

[Division III, roll call]

“17.1.6.1 Missed Class Time for Competition in the Nontraditional Segment — Baseball, Field Hockey, Lacrosse, Soccer, Softball and Women’s Volleyball. No class time shall be missed for **practice or** competition during the nontraditional segment.”

B. Bylaws: Amend 17.1.9.4, page 129, as follows:

[Division III, roll call]

“17.1.9.4 Traditional and Nontraditional Segment Length — Baseball, Field Hockey, Lacrosse, Soccer, Softball and Women’s Volleyball. All practice and competition during the nontraditional segment shall be limited to a maximum of five weeks. **A maximum of 16 practices with no more than four practices in any one week shall be permitted. One date of competition may occur during the nontraditional segment and shall be counted as one of the 16 permissible practices.**”

C. Bylaws: Amend 17.4.5, pages 138-140, as follows:

[Division III, roll call]

“17.4.5 Number of Contests **and Dates of Competition.**

“17.4.5.1 Maximum Limitations — Institutional. A member institution shall limit its total playing schedule with outside competition in the sport of baseball during the institution’s baseball playing season to a maximum of ~~45~~ **40** contests (games and scrimmages) *with not more than 40 during the traditional segment, and not more than five during the non-traditional segment* **during the traditional segment, and one date of competition during the nontraditional segment**, except for those contests excluded under Bylaw 17.4.5.3. **Further, during the traditional segment, an institution may exclude contests against an alumni team on one date of competition per Bylaw 17.4.5.3-(e).**

[17.4.5.1.1 unchanged.]

“17.4.5.2 Maximum Limitations — Student-Athlete. An individual student-athlete may participate in each academic year in a maximum of ~~45~~ **40** baseball contests (games and scrimmages) *with not more than 40 during the traditional segment and not more than five* **one date of competition** during the nontraditional segment. This limitation includes those contests in which the student-athlete represents the institution including competition as a member of the varsity, junior varsity or freshman team of the institution in accordance with Bylaws 17.02.4 and 17.02.8.

“17.4.5.3 Annual Exemptions. The maximum number of baseball contests **in the traditional segment** shall exclude the following (see Figure 17-1):

[17.4.5.3-(a) through 17.4.5.3-(d) unchanged.]

“(e) Alumni Game. One baseball *contest* **date of competition during the traditional segment** each year with an alumni team of the institution. **Alumni contests conducted during the nontraditional segment are not exempt, and therefore must be counted as the one permissible date of competition per Bylaw 17.1.9.4,**”

[17.4.5.3-(f) through 17.4.5.3-(h) unchanged.]

D. Bylaws: Amend 17.10.5, pages 149-150, as follows:

[Division III, roll call]

“17.10.5 Number of Contests and Dates of Competition.

“17.10.5.1 Maximum Limitations — Institutional. A member institution shall limit its total playing schedule with outside competition in the sport of field hockey during the institution’s field hockey playing season in any one year to 20 contests during the segment in which the NCAA championship is conducted and *four* **one** dates of competition during another segment, except for those contests or dates of competition excluded under Bylaws 17.10.5.3, 17.10.5.4 and

17.10.5.5 [see also Bylaw 17.10.3-(a)]. **Further, during the segment in which the NCAA championship is conducted, an institution may exclude contests against an alumni team on one date of competition per Bylaw 17.10.5.3-(e).**

[17.10.5.1.1 unchanged.]

“17.10.5.2 Maximum Limitations — Student-Athlete. A student-athlete may participate in a maximum of 20 field hockey contests during the segment in which the NCAA championship is conducted and *four* **one** dates of competition in field hockey during another segment. This limitation includes those contests or dates of competition in which the student represents the institution, including competition as a member of the varsity, junior varsity or freshman team of the institution in accordance with Bylaws 17.02.4 and 17.02.8.

“17.10.5.3 Annual Exemptions. The maximum number of contests or dates of competition in the sport of field hockey shall exclude the following (see Figure 17-1):

[17.10.5.3-(a) through 17.10.5.3-(d) unchanged.]

“(e) Alumni Game. One contest or date of competition **during the segment in which the NCAA championship is conducted** in field hockey each year with an alumni team of the institution. **Alumni contests during another segment are not exempt, and therefore must be counted as the one permissible date of competition per Bylaw 17.1.9.4;**”

[Remainder of 17.10.5 unchanged.]

[Remainder of 17.10.5 unchanged.]

E. Bylaws: Amend 17.11.6, page 153, as follows:

[Division III, roll call]

“17.11.6 Out-of-Season Athletically Related Activities. Student-athletes and members of the coaching staff shall not engage in athletically related activities outside the playing season per Bylaw 17.02.1.1. except that an institution is permitted to conduct conditioning and strength training sessions for a period of five consecutive weeks **with a maximum of 16 practices with no more than four practice opportunities in any one week** during the nontraditional segment. No missed class time is permitted for these sessions. The use of footballs, helmets, pads, blocking sleds or any other form of sport-related equipment is prohibited.”

F. Bylaws: Amend 17.15.5, pages 161-162, as follows:

[Division III, roll call]

“17.15.5 Number and Dates of Competition.

“17.15.5.1 Maximum Limitations — Institutional. A member institution shall limit its total playing schedule with

outside competition in the sport of lacrosse during the institution's lacrosse playing season to a maximum of 17 dates of competition, with not more than *four one* dates of competition during the nontraditional segment, except for those contests excluded under Bylaws 17.15.5.3, 17.15.5.4 and 17.15.5.5. **Further, during the traditional segment, an institution may exclude contests against an alumni team on one date of competition per Bylaw 17.15.5.3-(d).**

[17.15.5.1.1 unchanged.]

"17.15.5.2 Maximum Limitations — Student-Athlete. A student-athlete may participate in each academic year in a maximum of 17 dates of competition, with not more than *four one* dates of competition during the nontraditional segment. This limitation includes those contests in which the student represents the institution, including competition as a member of the varsity, junior varsity or freshman team of the institution in accordance with Bylaws 17.02.4 and 17.02.8.

"17.15.5.3 Annual Exemptions. The maximum number of dates of competition in the sport of lacrosse shall exclude the following (see Figure 17-1):

[17.15.5.3-(a) through 17.15.5.3-(c) unchanged.]

"(d) Alumni Game. One date of competition **during the traditional segment** in lacrosse each year with an alumni team of the institution. **Alumni contests during the nontraditional segment are not exempt, and therefore must be counted as the one permissible date of competition per Bylaw 17.1.9.4;**"

[Remainder of 17.15.3 unchanged.]

G. Bylaws: Amend 17.19.5.1, page 169, as follows:

[Division III, roll call]

"17.19.5.1 Maximum Limitations — Institutional. A member institution shall limit its total playing schedule with outside competition in the sport of soccer during the institution's soccer playing season in any one year to a maximum of 20 contests during the segment in which the NCAA championship is conducted and *four one* dates of competition during another segment, except for those contests and/or dates of competition excluded under Bylaws 17.19.5.3, 17.19.5.4 and 17.19.5.5 [*see also Bylaw 17.19.3-(a)*]. **Further, during the segment in which the NCAA championship is conducted, an institution may exclude contests against an alumni team on one date of competition per Bylaw 17.19.5.3-(e).**

[17.19.5.1.1 and 17.19.5.1.2 unchanged.]

"17.19.5.2 Maximum Limitations — Student-Athlete. A student-athlete may participate in each academic year in a maximum of 20 soccer contests during the segment in which the NCAA cham-

pionship is conducted and *four* **one** dates of competition *in soccer* during another segment. This limitation includes those contests in which the student represents the institution, including competition as a member of the varsity, junior varsity or freshman team of the institution in accordance with Bylaws 17.02.4 and 17.02.8.

“17.19.5.3 Annual Exemptions. The maximum number of soccer contests and dates of competition **during the traditional segment** shall exclude the following (see Figure 17-1):

[17.19.5.3-(a) through 17.19.5.3-(d) unchanged.]

“(e) Alumni Game. One soccer contest or date of competition **during the segment in which the NCAA championship is conducted** each year with an alumni team of the institution. **Alumni contests conducted during the another segment are not exempt, and therefore must be counted as the one permissible date of competition per Bylaw 17.1.9.4;**”

[17.19.5.3-(f) through 17.19.5.3-(h) unchanged.]

H. Bylaws: Amend 17.20.5, pages 171-172, as follows:

[Division III, roll call]

“17.20.5 Number of Contests **and Dates of Competition.**

“17.20.5.1 Maximum Limitations — Institutional. A member institution shall limit its total playing schedule with outside competition in the sport of softball during the institution’s softball playing season to a maximum of *45* **40** contests (games and scrimmages) *with not more than 40 during the traditional segment and not more than five during the nontraditional segment* **during the traditional segment, and one date of competition during the nontraditional segment**, except for those contests excluded under Bylaw 17.20.5.3. **Further, during the traditional segment, an institution may exclude contests against an alumni team on one date of competition per Bylaw 17.20.5.3-(e).**

[17.20.5.1.1 unchanged.]

“17.20.5.2 Maximum Limitations — Student-Athlete. A student-athlete may participate in each academic year in a maximum of *45* **40** softball contests (games or scrimmages) with not more than 40 during the traditional segment and *not more than five* **one date of competition** during the nontraditional segment. This limitation includes those contests in which the student represents the institution including competition as a member of the varsity, junior varsity or freshman team of the institution in accordance with Bylaws 17.02.4 and 17.02.8.

“17.20.5.3 Annual Exemptions. The maximum number of softball contests shall exclude the following (see Figure 17-1):

[17.20.5.3-(a) through 17.20.5.3-(d) unchanged.]

“(e) Alumni Game. One softball *contest* **date of competition during the traditional segment** each year with an alumni team of the institution **Alumni contests conducted during the nontraditional segment are not exempt, and therefore must be counted as the one permissible date of competition per Bylaw 17.1.9.4;**”

[Remainder of 17.20.5 unchanged.]

I. Bylaws: Amend 17.27, pages 186-188, as follows:

[Division III, roll call]

“17.27 VOLLEYBALL. Regulations for computing the volleyball playing season are set forth in Bylaw 17.1, General Playing-Season Regulations. (Also see Figure 17-1.)

[17.27.1 through 17.27.7 unchanged.]

“17.27.8 Number of Dates of Competition — Women.

“17.27.8.1 Maximum Limitations — Institutional. A member institution shall limit its total playing schedule with outside competition in the sport of women’s volleyball during the institution’s women’s volleyball playing season to a maximum of 22 dates of competition during the traditional segment and *four one* during the nontraditional segment, except for those dates of competition excluded under Bylaw 17.27.10. **Further, during the traditional segment, an institution may exclude contests against an alumni team on one date of competition per Bylaw 17.27.10-(e).**

[17.28.8.1.1 unchanged.]

“17.27.8.2 Maximum Limitations — Student-Athlete — Women. A student-athlete may participate each academic year in a maximum of 22 dates of competition during the traditional segment and *four one* during the nontraditional segment in women’s volleyball. This limitation includes those dates of competition in which the student represents the institution, including competition as a member of the varsity, junior varsity or freshman team of the institution in accordance with Bylaws 17.02.4 and 17.02.8.

[17.27.9 unchanged.]

“17.27.10 Annual Exemptions. The maximum number of dates of competition in the sport of volleyball shall exclude the following (see Figure 17-1):

[17.27.10-(a) through 17.27.10-(d) unchanged.]

“(e) Alumni Game. One date of competition in volleyball each year with an alumni team of the institution. **Alumni contests conducted during the nontraditional segment are not exempt, and therefore must be counted as the one permissible date of competition per Bylaw 17.1.9.4;**”

[Remainder of 17.27 unchanged.]

Source: Centennial Conference.

Effective Date: August 1, 2004

Rationale: The Division III philosophy places the highest priority on the overall quality of the educational experience and the successful completion of all students' academic programs. This proposal is consistent with that emphasis by setting reasonable limits on missed class time, segment length and the number of contests that may occur during the nontraditional segment. It recognizes that students want the opportunity to refine their skills during the off season; yet, this proposal reduces the increasing emphasis on practice and competition during the nontraditional segment. Current NCAA legislation permits practice and competition during a five-week nontraditional segment with one required day off during a calendar week. This results in a maximum of 30 practice opportunities, with no more than six practice opportunities in a week. This proposal permits 16 practice opportunities during the nontraditional segment and one date of competition, which counts towards the 16-opportunity maximum. It also recognizes that permitting one date of competition enables the students to have a culminating event for the segment.

Committee Position (Management Council Playing and Practice Seasons Subcommittee): The NCAA Division III Management Council Playing and Practice Seasons Subcommittee prefers Presidents Council Proposal No. 60 (Playing and Practice Seasons — Length of Seasons and Contests Limits).

Action: Adopted, 218-196-5. (Motion to reconsider defeated, 214-191-1.)

***NO. 64 (NO. 2-67) PLAYING AND PRACTICE SEASONS —
ELIMINATION OF OUT-OF-SEASON
EXCEPTION**

Intent: To further limit voluntary out-of-season workouts that occur outside the permissible playing and practice seasons in fencing, gymnastics, rifle, rowing, skiing and swimming and diving.

A. Bylaws: Amend 17.9, pages 147-149, as follows:

[Division III, roll call]

“17.9 FENCING. Regulations for computing the fencing playing season are set forth in Bylaw 17.1, General Playing-Season Regulations. (Also see Figure 17-1.)

[17.9.1 through 17.9.8 unchanged.]

“17.9.9 Safety Exception. A coach may be present during voluntary individual workouts in the institution's regular practice facility (without the workouts being considered as countable athletically related activities) when the student-athlete

uses fencing equipment. The coach may provide safety or skill instruction but cannot conduct the individual's workouts."

B. Bylaws: Amend 17.13, pages 156-158, as follows:

[Division III, roll call]

"17.13 GYMNASTICS. Regulations for computing the gymnastics playing season are set forth in Bylaw 17.1, General Playing-Season Regulations. (Also see Figure 17-1.)

[17.13.1 through 17.13.8 unchanged.]

"17.13.9 Safety Exception. A coach may be present during voluntary individual workouts in the institution's regular practice facility (without the workouts being considered as countable athletically related activities) when the student-athlete uses gymnastics equipment. The coach may provide safety instruction."

C. Bylaws: Amend 17.16, pages 162-164, as follows:

[Division III, roll call]

"17.16 RIFLE. Regulations for computing the rifle playing season are set forth in Bylaw 17.1, General Playing-Season Regulations. (Also see Figure 17-1.)

[17.16.1 through 17.16.8 unchanged.]

"17.16.9 Safety Exception. A coach may be present during voluntary individual workouts in the institution's regular practice facility (without the workouts being considered as countable athletically related activities) when the student-athlete is shooting. The coach may provide safety or skill instruction but cannot conduct the individual's workouts."

D. Bylaws: Amend 17.17, pages 164-166, as follows:

[Division III, roll call]

"17.17 ROWING, WOMEN'S. Regulations for computing the rowing playing season are set forth in Bylaw 17.1, General Playing-Season Regulations. (Also see Figure 17-1.)

[17.17.1 through 17.17.8 unchanged.]

"17.17.9 Safety Exception. A coach may be present during voluntary individual workouts in the institution's regular practice facility (without the workouts being considered as athletically related activities) when the student-athlete uses rowing equipment. The coach may provide safety or skill instruction but cannot conduct the individual's workouts."

E. Bylaws: Amend 17.18, pages 166-168, as follows:

[Division III, roll call]

"17.18 SKIING. Regulations for computing the skiing playing season are set forth in Bylaw 17.1, General Playing-Season Regulations. (Also see Figure 17-1.)

[17.18.1 through 17.18.8 unchanged.]

"17.18.9 Safety Exception. A coach may be present during vol-

untary individual workouts in the institution's regular practice facility (without the workouts being considered as countable athletically related activities) when the student-athlete is engaged in skiing. The coach may provide safety or skill instruction but cannot conduct the individual's workouts."

F. Bylaws: Amend 17.22, pages 175-177, as follows:

[Division III, roll call]

"17.22 SWIMMING. Regulations for computing the swimming playing season are set forth in Bylaw 17.1, General Playing-Season Regulations. (Also see Figure 17-1.)

[17.22.1 through 17.22.9 unchanged.]

"17.22.10 Safety Exception. A coach may be present during voluntary individual workouts in the institution's regular practice facility (without the workouts being considered as countable athletically related activities) when the student-athlete is engaged in swimming and diving. The coach may provide safety instruction but cannot conduct the individual's workouts."

Source: NCAA Division III Presidents Council [Management Council (Playing and Practice Seasons Subcommittee)].

Effective Date: August 1, 2004

Rationale: The out-of-season exception has been used to extend the playing and practice season in selected sports. Inasmuch as a student-athlete's engagement in out-of-season athletically related activities is discouraged, the existing exception should be eliminated. Institutions should be committed to the established playing and practice season; there should not be coaching given to student-athletes outside the season. Further, elimination of the exception is consistent with the Division III philosophy, in that each sport should be treated in a consistent manner with regard to the total playing season. Should student-athletes engage in voluntary workouts at institutional facilities outside the playing season, they would be subject to the same facilities access and supervision policies applicable to all students.

Action: Adopted, 315-68-35.

***NO. 65 (NO. 2-69) MULTIDIVISION CLASSIFICATION — AWARDING OF ATHLETICS AID**

Intent: To eliminate the waiver that permits a Division III institution that conducted a sport classified in Division I during 1982-83 to award athletically related financial aid in that sport, as well as a sport for the opposite gender later reclassified to Division I.

Bylaws: Amend 20.7.1, page 215, as follows:

[Division III, roll call]

"20.7.1 Applicable Legislation. A member institution shall observe the applicable legislation and requirements of its member-

ship division. However, if the institution is eligible to participate in a sport in another division (see Bylaw 20.4 for multidivision-classification privileges), it shall apply the rules of the other division that govern the sport in question.

[20.7.1.1 unchanged.]

“20.7.1.1.1 Waivers. If a member institution conducts a men’s or women’s sport that was classified in Division I during the 1982-83 academic year, the Management Council, on recommendation of the Membership Committee, by a two-thirds majority of its members present and voting, may approve waivers of the application of the Division III regulations to such a sport. This provision also applies to such an institution that later reclassifies a sport for the opposite gender to Division I.”

Source: NCAA Division III Presidents Council [Management Council (Joint Subcommittee on the Future of Division III)].

Effective Date: August 1, 2008

Rationale: This proposal would eliminate the waiver that permits eight Division III schools to provide athletics aid in programs that were classified in Division I during 1982-83 and in a sport for the opposite gender. The current waiver is a one-time waiver created and granted approximately 20 years ago under circumstances unique to that moment in time, including the relatively recent creation of the Association’s three membership divisions. When it was adopted, the waiver’s sponsors noted that new legislation would be necessary to alter or revoke the waiver. As part of the on-going discussions regarding the future of Division III, the Presidents Council believes the time is right to question whether the privilege of athletics aid should be permitted to exist indefinitely. The prohibition against athletics aid is the defining philosophical tenet of Division III, the one tie that truly binds the diverse Division III membership. It should apply consistently to all Division III members. Finally, the delayed effective date is intended to provide affected schools with a reasonable time period in which to begin to plan for the implementation of this legislation and explore all membership options.

Action: Adopted, 304-89-18, as amended by No. 65-1.

***NO. 65-1**

**MEMBERSHIP — MULTIDIVISION
CLASSIFICATION — AWARDING OF
ATHLETICS AID — WAIVER**

Intent: To permit an institution that conducts a men’s or women’s sport that was classified in Division I during the 1982-83 academic year and was granted a waiver of the application of the Division III regulations to that sport prior to January 1, 2004, and used it during the 2002-03 academic year to continue using that waiver; further, to specify that an institution that obtained the waiver for a sport for one gender prior to January 1, 2004,

may later request the waiver be applied to a sport for the other gender, under specified conditions.

Bylaws: Amend Proposal No. 65, 20.7.1, as follows:

[Division III, roll call]

“20.7.1 Applicable Legislation. A member institution shall observe the applicable legislation and requirements of its membership division. However, if the institution is eligible to participate in a sport in another division (see Bylaw 20.4 for multidivision-classification privileges), it shall apply the rules of the other division that govern the sport in question.

[20.7.1.1 unchanged.]

“20.7.1.1.1 Waivers. If a member institution conducts a men’s or women’s sport that was classified in Division I during the 1982-83 academic year, the Management Council, on recommendation of the Membership Committee, by a two-thirds majority of its members present and voting, may approve waivers of the application of the Division III regulations to such a sport. This provision also applies to such an institution that later reclassifies a sport for the sport opposite gender to Division I. This waiver provision is subject to the following additional conditions:

“(a) The opportunity is available only to an institution that obtained the waiver prior to January 1, 2004, and used it during the 2002-03 academic year; and

“(b) An institution that obtained a waiver for a sport for one gender prior to January 1, 2004, and used it during the 2002-03 academic year, may later request that the waiver be applied to a sport for the other gender only upon the approval of the Management Council, by a two-thirds majority vote of its members present and voting. The institution must demonstrate that it is necessary to do so to attain gender equity within the program.”

Source: Clarkson University, Colorado College; Hartwick College; Johns Hopkins University; Rensselaer Polytechnic Institute; Rutgers, The State University of New Jersey, Newark; State University College at Oneonta; and St. Lawrence University.

Effective Date: August 1, 2008

Rationale: Retaining the waiver provision but limiting the expansion of its use permits those institutions that have competed in a Division I sport for many years and provided financial aid to student-athletes in that sport, without compromising their philosophical commitment to Division III, to maintain pro-

grams that are traditionally and historically significant. This amendment limits the pool of institutions eligible to receive the waiver to eight institutions by precluding any institution that did not use the waiver in 2002-03 (including those who may have sponsored a Division I sport in 1982-83 and even those that may have used the waiver at some time between 1982 and 2002) from using the waiver in the future. The amendment further clarifies the provision that allows an institution currently using the waiver to also request that waiver be applied to a sport for the opposite gender. Application of this provision could only be used for gender equity purposes. It should be noted that student-athletes receiving athletically related financial in a Division I sport are prohibited from competing in Division III athletics.

Action: Adopted, 295-107-17.

***NO. 66 (NO. 2-71) RESOLUTION — DIVISION III
STRATEGIC PLANNING AND
MEMBERSHIP GROWTH**

[Division III, roll call]

“Whereas, in January 2002, the Division III Presidents Council and Management Council established the Presidents Council/Management Council Joint Subcommittee on the Future of Division III; and

“Whereas, the governance structure formed the joint subcommittee to address significant concerns, expressed within the membership and by others, that Division III’s legislative standards and practices have drifted from the shared ideals articulated in the Division III Philosophy Statement; and

“Whereas, the joint subcommittee has engaged in an extensive effort to encourage dialogue in and feedback from the Division III membership, including attending meetings of various conferences and independents, a forum during the 2003 Convention, a membership survey during the spring of 2003, and subsequent focus group discussions involving representatives from various conferences and constituencies; and

“Whereas, the joint subcommittee has forwarded to the Division III membership for consideration at the 2004 Convention a landmark legislative reform package intended to more closely link the division’s future legislative requirements and administrative practices with its philosophical tenets; and

“Whereas, Division III has grown significantly since it was created in 1973 and, with approximately 432 active member schools and 40 voting conferences, is the largest of the NCAA’s three divisions; and

“Whereas, the current membership of Division III is very diverse, including significant differences in undergraduate enrollment, sports sponsorship, institutional affiliation, and institutional mis-

sion among and between members schools and conferences; and

“Whereas, the current provisional, exploratory, and reclassifying membership of Division III will bring the overall membership of the division to approximately 450 by 2010 and further contribute to the diversity of the division; and

“Whereas, membership growth and diversity is a multi-faceted issue affecting many of the division’s philosophical tenets, including the broad-based athletics program philosophy, sport and program equity, appropriate championships and postseason access and funding, access to other programs and services, and the exercise of institutional and conference autonomy; and

“Whereas, membership growth and diversity are issues with long-term ramifications that should be explored fully, deliberated carefully and addressed strategically within Division III and the Association;

“Now, Therefore, Be It Resolved, that the Division III membership charges the Division III Presidents Council, the Division III Management Council and the remainder of the division’s governance structure, as appropriate, to consider issues related to membership growth and diversity as part of the division’s ongoing strategic planning process; and

“Be It Further Resolved, that the leadership of Division III actively consult with and involve the leadership of the Association, including the NCAA Executive Committee and the NCAA President, regarding the Association-wide ramifications of the growth and diversity of the Division III membership; and

“Be It Further Resolved, that the review of this issue include the broad-based program philosophy and related issues regarding sport and program equity; appropriate championships and post-season access and funding; access to other programs and services; and steps to further enhance the greater exercise of institutional and conference autonomy, including issues related to the establishment of more restrictive legislative standards and practices, such as coaching and travel squad limits; and

“Be It Finally Resolved, the Presidents and Management Councils present an interim report to the membership regarding this topic at the 2005 NCAA Convention and a final report with any associated legislation, as appropriate, for consideration at the 2006 Convention.”

Source: NCAA Division III Presidents Council [Management Council (Joint Subcommittee on the Future of Division III)].

Action: Adopted, 399-9-6.

***NO. 67 (NO. 2-72) EXECUTIVE REGULATIONS —
SELECTION OF TEAMS AND
INDIVIDUALS FOR CHAMPIONSHIPS
PARTICIPATION — AUTOMATIC
QUALIFICATION**

Intent: To expand the team sports groupings for automatic qualification to include tennis, golf and cross country.

Administrative: Amend 31.3.4.3, page 257, as follows:

[Division III, roll call]

“31.3.4.3 Sports Groupings for Automatic Qualification. For purposes of evaluating criteria for automatic qualification, the various sports shall be grouped as follows:

“(a) Team sports — baseball, basketball, **cross country**, field hockey, football, **golf**, ice hockey, lacrosse, soccer, softball, **tennis**, volleyball and water polo;”

[31.3.4.3-(b) and 31.3.4.3-(c) unchanged.]

Source: Empire 8.

Effective Date: August 1, 2006

Rationale: Granting automatic qualification in these sports would result in a more representative field of competitors and provide a greater number of member institutions with the opportunity to participate in the NCAA championship tournament. The current selection format results in several teams from the same conference earning berths, while a majority of conferences do not receive any berths. This proposal seeks to make selection for the tennis, golf and cross country championships more equitable across conferences while still maintaining the individual portion of these championships. This proposal also allows the Championships Committee the time and flexibility it needs to implement the championships according to automatic qualification policies.

Committee Position (Championships Committee): The NCAA Division III Championships Committee prefers a delayed effective date until at least 2006-07 to understand format and costs.

Action: Withdrawn.

GENERAL

**NO. 68 (NO. 2-54) MEMBERSHIP — CONDITIONS AND
OBLIGATIONS OF ACTIVE
MEMBERSHIP — CERTIFICATION OF
INSURANCE COVERAGE**

Intent: To require as a condition and obligation of NCAA membership that an institution certify on an annual basis insurance coverage for athletically related injuries sustained by specified participants in covered events.

Constitution: Amend 3.2.4 by adding new 3.2.4.7, page 10, as follows:

[Division III]

“3.2.4 Conditions and Obligations of Membership.

[3.2.4.1 through 3.2.4.6 unchanged.]

“3.2.4.7 Certification of Insurance Coverage. An active member institution must certify insurance coverage for medical expenses resulting from athletically related injuries sustained by a student-athlete participating in the covered event (see Constitution 3.2.4.7.3) in an intercollegiate sport as recognized by the participating institution.

“3.2.4.7.1 Source of Insurance. Such insurance coverage must be of equal or greater value than the deductible of the NCAA catastrophic injury insurance program and may be provided through the following sources:

“(a) Participant’s personal insurance coverage; or

“(b) Institution’s insurance program.

“3.2.4.7.2 Athletically Related Injuries. For purposes of this bylaw, athletically related injuries are injuries that are a direct result of participation in a covered event (see Constitution 3.2.4.7.3).

“3.2.4.7.3 Covered Event. A covered event includes the following:

“(a) Any intercollegiate sports activity including team travel, competition, practices, and conditioning sessions during the playing season (as defined in Bylaw 17.1.1);

“(b) An NCAA-sanctioned competition in which the insured person (i.e., student-athlete) is an official competitor; or

“(c) Practice and conditioning sessions that are authorized, organized, or directly supervised by athletics department personnel at the member institution other than during the

playing season. Such sessions must occur on campus or at approved off-campus facilities as part of an intercollegiate athletics activity. For insured student-athletes or prospective student-athletes who compete in individual sports, off-campus intercollegiate athletics activities must be authorized by athletics department personnel at the participating school and take place at approved locations.”

[3.2.4.7 through 3.2.4.13 renumbered as 3.2.4.8 through 3.2.4.14, unchanged.]

[3.2.4.7 through 3.2.4.13 renumbered as 3.2.4.8 through 3.2.4.14, unchanged.]

Source: NCAA Division III Presidents Council (Management Council).

Effective Date: August 1, 2004

Rationale: This proposal is the result of analysis and study by an NCAA task force charged with reviewing student-athlete insurance programs, the Association’s portfolio or business insurance policies and contingency planning for Association events. Based on the task force’s findings, the health and welfare of student-athletes and prospective student-athletes will be greatly enhanced if all active members of the NCAA are required certify each year that insurance is in place to cover any medical expenses that may result from athletically related injuries sustained by student-athletes and prospective student-athletes while participating in athletics activities. This proposal does not require an institution to finance such insurance. Rather, if adopted, the proposal requires member institutions to certify that the affected participants present proof of insurance coverage.

Action: Adopted.

NO. 68-1

**MEMBERSHIP — CONDITIONS AND
OBLIGATIONS OF ACTIVE
MEMBERSHIP — CERTIFICATION OF
INSURANCE COVERAGE**

Intent: To delay the effective date of 2004 NCAA Convention Proposal No. 68 from August 1, 2004, to August 1, 2005.

Constitution: Amend Proposal No. 2-54, 3.2.4, as follows:

[Division III]

“3.2.4 Conditions and Obligations of Membership.

[3.2.4.1 through 3.2.4.6 unchanged.]

“3.2.4.7 Certification of Insurance Coverage. An active member institution must certify insurance coverage for medical expenses resulting from athletically related injuries sustained by a student-athlete participating in the covered

event (see Constitution 3.2.4.7.3) in an intercollegiate sport as recognized by the participating institution.

“3.2.4.7.1 Source of Insurance. Such insurance coverage must be of equal or greater value than the deductible of the NCAA catastrophic injury insurance program and may be provided through the following sources:

“(a) Participant’s personal insurance coverage; or

“(b) Institution’s insurance program.

“3.2.4.7.2 Athletically Related Injuries. For purposes of this bylaw, athletically related injuries are injuries that are a direct result of participation in a covered event (see Constitution 3.2.4.7.3).

“3.2.4.7.3 Covered Event. A covered event includes the following:

“(a) Any intercollegiate sports activity including team travel, competition, practices, and conditioning sessions during the playing season (as defined in Bylaw 17.1.1);

“(b) An NCAA-sanctioned competition in which the insured person (i.e., student-athlete or prospective student-athlete) is an official competitor; or

“(c) Practice and conditioning sessions that are authorized, organized, or directly supervised by athletics department personnel at the member institution other than during the playing season. Such sessions must occur on campus or at approved off-campus facilities as part of an intercollegiate athletics activity. For insured student-athletes or prospective student-athletes who compete in individual sports, off-campus intercollegiate athletics activities must be authorized by athletics department personnel at the participating school and take place at approved locations.”

[3.2.4.7 through 3.2.4.13 renumbered as 3.2.4.8 through 3.2.4.14, unchanged.]

Source: NCAA Division III Presidents Council (Management Council).

Effective Date: August 1, 2005

Rationale: An effective date of August 1, 2005, provides an opportunity for institutions to work through the logistical and planning issues related to this certification. Delaying the effective date of this proposal allows time for NCAA staff to educate the membership about the certification process and will allow the membership time to examine the entire issue of insurance coverage.

Action: Adopted.

**NO. 69 (NO. 2-65) PLAYING AND PRACTICE SEASONS —
ANNUAL EXEMPTIONS**

Intent: In all sports except fencing and football, to exempt competition in one championship tournament among independent member institutions conducted after the end of the regular season and prior to the NCAA or national governing body championship.

A. Bylaws: Amend 17.2.5.3, pages 134-135, as follows:

[Division III]

“17.2.5.3 Annual Exemptions. The maximum number of dates of competition in archery shall exclude the following (see Figure 17-1):

[17.2.5.3-(a) through 17.2.5.3-(d) unchanged.]

“(e) Independents Championship. Competition in one championship meet among independent membership institutions (i.e., institutions that are not members of an intercollegiate athletics conference), conducted at the end of the regular season and prior to the national governing body championship;”

[17.2.5.3-(e) through 17.2.5.3-(i) relettered as 17.2.5.3-(f) through 17.2.5.3-(j), unchanged.]

B. Bylaws: Amend 17.3.5.3, pages 136-137, as follows:

[Division III]

“17.3.5.3 Annual Exemptions. The maximum number of dates of competition in badminton shall exclude the following (see Figure 17-4):

[17.3.5.3-(a) and 17.3.5.3-(b) unchanged.]

“(c) Independents Championship. Competition in one championship meet among independent member institutions (i.e., institutions that are not members of an intercollegiate athletics conference), conducted at the end of the regular season and prior to the national governing body championship;”

[17.3.5.3-(c) through 17.3.5.3-(g) relettered as 17.3.5.3-(d) through 17.3.5.3-(h), unchanged.]

C. Bylaws: Amend 17.4.5.3, pages 138-139, as follows:

[Division III]

“17.4.5.3 Annual Exemptions. The maximum number of baseball contests shall exclude the following (see Figure 17-1):

[17.4.5.3-(a) through 17.4.5.3-(d) unchanged.]

“(e) Independents Championship. Competition in one championship tournament among independent member institutions (i.e., institutions that are not members of an intercollegiate athletics conference), conducted at the end of the regular season and prior to the NCAA championship;”

[17.4.5.3-(e) through 17.4.5.3-(h) relettered as 17.4.5.3-(f) through 17.4.5.3-(i), unchanged.]

D. Bylaws: Amend 17.5.5.3, page 141, as follows:

[Division III]

“17.5.5.3 Annual Exemptions. The maximum number of basketball contests shall exclude the following (see Figure 17-1):

[17.5.5.3-(a) through 17.5.5.3-(d) unchanged.]

“(e) Independents Championship. Competition in one championship tournament among independent member institutions (i.e., institutions that are not members of an intercollegiate athletics conference), conducted at the end of the regular season and prior to the NCAA Championship;”

[17.5.5.3-(e) through 17.5.5.3-(g) relettered as 17.5.5.3-(f) through 17.5.5.3-(h), unchanged.]

E. Bylaws: Amend 17.6.5.3, page 143, as follows:

[Division III]

“17.6.5.3 Annual Exemptions. The maximum number of dates of competition in bowling shall exclude the following (see Figure 17-1):

[17.6.5.3-(a) and 17.6.5.3-(b) unchanged.]

“(c) Independents Championship. Competition in one championship tournament among independent member institutions (i.e., institutions that are not members of an intercollegiate athletics conference), conducted at the end of the regular season and prior to the NCAA Championship;”

[17.6.5.3-(e) through 17.6.5.3-(g) relettered as 17.6.5.3-(f) and 17.6.5.3-(h), unchanged.]

F. Bylaws: Amend 17.7.5.3, pages 145-146, as follows:

[Division III]

“17.7.5.3 Annual Exemptions. The maximum number of dates of competition in the sport of cross country shall exclude the following (see Figure 17-1):

[17.7.5.3-(a) through 17.7.5.3-(d) unchanged.]

“(e) Independents Championship. Competition in one championship meet among independent member institutions (i.e., institutions that are not members of an intercollegiate athletics conference), conducted at the end of the regular season and prior to the NCAA Championship;”

[17.7.5.3-(e) through 17.7.5.3-(h) relettered as 17.7.5.3-(f) through 17.7.5.3-(i), unchanged.]

G. Bylaws: Amend 17.10.5.3, page 150, as follows:

[Division III]

“17.10.5.3 Annual Exemptions. The maximum number of con-

tests or dates of competition in the sport of field hockey shall exclude the following (see Figure 17-1):

[17.10.5.3-(a) through 17.10.5.3-(d) unchanged.]

“(e) Independents Championship. Competition in one championship tournament among independent member institutions (i.e., institutions that are not members of an intercollegiate athletics conference), conducted at the end of the regular season and prior to the NCAA Championship;”

[17.10.5.3-(e) through 17.10.5.3-(h) relettered as 17.10.5.3-(f) through 17.10.5.3-(i), unchanged.]

H. Bylaws: Amend 17.12.5.3, page 155, as follows:

[Division III]

“17.12.5.3 Annual Exemptions. The maximum number of dates of competition in the sport of golf shall exclude the following (see Figure 17-1):

[17.12.5.3-(a) through 17.12.5.3-(d) unchanged.]

“(e) Independents Championship. Competition in one championship tournament among independent member institutions (i.e., institutions that are not members of an intercollegiate athletics conference), conducted at the end of the regular season and prior to the NCAA Championship;”

[17.12.5.3-(e) through 17.12.5.3-(k) relettered as 17.12.5.3-(f) through 17.12.5.3-(l), unchanged.]

I. Bylaws: Amend 17.13.5.3, page 157, as follows:

[Division III]

“17.13.5.3 Annual Exemptions. The maximum number of dates of competition in the sport of gymnastics shall exclude the following (see Figure 17-1):

[17.13.5.3-(a) through 17.13.5.3-(d) unchanged.]

“(e) Independents Championship. Competition in one championship meet among independent member institutions (i.e., institutions that are not members of an intercollegiate athletics conference), conducted at the end of the regular season and prior to the NCAA Championship;”

[17.13.5.3-(e) through 17.13.5.3-(j) relettered as 17.13.5.3-(f) through 17.13.5.3-(k), unchanged.]

J. Bylaws: Amend 17.14.5.3, page 159, as follows:

[Division III]

“17.14.5.3 Annual Exemptions. The maximum number of ice hockey contests/dates of competition shall exclude the following (see Figure 17-1):

[17.14.5.3-(a) through 17.14.5.3-(d) unchanged.]

“(e) Independents Championship. Competition in one

championship tournament among independent member institutions (i.e., institutions that are not members of an intercollegiate athletics conference), conducted at the end of the regular season and prior to the NCAA Championship;

[17.14.5.3-(e) through 17.14.5.3-(i) relettered as 17.14.5.3-(f) through 17.14.5.3-(j), unchanged.]

K. Bylaws: Amend 17.15.5.3, page 161, as follows:

[Division III]

“17.15.5.3 Annual Exemptions. The maximum number of dates of competition in the sport of lacrosse shall exclude the following (see Figure 17-1):

[17.15.5.3-(a) through 17.15.5.3-(c) unchanged.]

“(d) Independents Championship. Competition in one championship tournament among independent member institutions (i.e., institutions that are not members of an intercollegiate athletics conference), conducted at the end of the regular season and prior to the NCAA Championship;”

[17.15.5.3-(d) through 17.15.5.3-(g) relettered as 17.15.5.3-(e) through 17.15.5.3-(h), unchanged.]

L. Bylaws: Amend 17.16.5.3, page 163, as follows:

[Division III]

“17.16.5.3 Annual Exemptions. The maximum number of dates of competition in the sport of rifle shall exclude the following (see Figure 17-1):

[17.16.5.3-(a) through 17.16.5.3-(c) unchanged.]

“(d) Independents Championship. Competition in one championship meet among independent member institutions (i.e., institutions that are not members of an intercollegiate athletics conference), conducted at the end of the regular season and prior to the NCAA Championship;”

[17.16.5.3-(d) through 17.16.5.3-(i) relettered as 17.16.5.3-(e) through 17.16.5.3-(j), unchanged.]

M. Bylaws: Amend 17.17.5.3, page 165, as follows:

[Division III]

“17.17.5.3 Annual Exemptions. The maximum number of dates of competition in the sport of rowing shall exclude the following (see Figure 17-1):

[17.17.5.3-(a) through 17.17.5.3-(c) unchanged.]

“(d) Independents Championship. Competition in one championship meet among independent member institutions (i.e., institutions that are not members of an intercollegiate athletics conference), conducted at the end of the regular season and prior to the NCAA Championship;”

[17.17.5.3-(d) through 17.17.5.3-(h) relettered as 17.17.5.3-(e) through 17.17.5.3-(i), unchanged.]

N. Bylaws: Amend 17.18.5.3, page 167, as follows:

[Division III]

“17.18.5.3 Annual Exemptions. The maximum number of dates of competition in the sport of skiing shall exclude the following (see Figure 17-1):

[17.18.5.3-(a) through 17.18.5.3-(c) unchanged.]

“(d) Independents Championship. Competition in one championship meet among independent member institutions (i.e., institutions that are not members of an intercollegiate athletics conference), conducted at the end of the regular season and prior to the NCAA Championship;”

[17.18.5.3-(d) through 17.18.5.3-(i) relettered as 17.18.5.3-(e) through 17.18.5.3-(j), unchanged.]

O. Bylaws: Amend 17.19.5.3, page 169, as follows:

[Division III]

“17.19.5.3 Annual Exemptions. The maximum number of soccer contests and dates of competition shall exclude the following (see Figure 17-1):

[17.19.5.3-(a) through 17.19.5.3-(d) unchanged.]

“(e) Independents Championship. Competition in one championship tournament among independent member institutions (i.e., institutions that are not members of an intercollegiate athletics conference), conducted at the end of the regular season and prior to the NCAA Championship;”

[17.19.5.3-(e) through 17.19.5.3-(h) relettered as 17.19.5.3-(f) through 17.19.5.3-(i), unchanged.]

P. Bylaws: Amend 17.20.5.3, pages 171-172, as follows:

[Division III]

“17.20.5.3 Annual Exemptions. The maximum number of softball contests shall exclude the following (see Figure 17-1):

[17.20.5.3-(a) through 17.20.5.3-(d) unchanged.]

“(e) Independents Championship. Competition in one championship tournament among independent member institutions (i.e., institutions that are not members of an intercollegiate athletics conference), conducted at the end of the regular season and prior to the NCAA Championship;”

[17.20.5.3-(e) through 17.20.5.3-(h) relettered as 17.20.5.3-(f) through 17.20.5.3-(i), unchanged.]

Q. Bylaws: Amend 17.21.5.3, pages 173-174, as follows:

[Division III]

“17.21.5.3 Annual Exemptions. The maximum number of dates of competition in squash shall exclude the following (see Figure 17-1):
[17.21.5.3-(a) and 17.21.5.3-(b) unchanged.]

“(c) Independents Championship. Competition in one championship meet among independent member institutions (i.e., institutions that are not members of an intercollegiate athletics conference), conducted at the end of the regular season and prior to the national governing body championship;”

[17.21.5.3-(c) through 17.21.5.3-(g) relettered as 17.21.5.3-(d) through 17.21.5.3-(h), unchanged.]

R. Bylaws: Amend 17.22.5.3, pages 175-176, as follows:

[Division III]

“17.22.5.3 Annual Exemptions. The maximum number of dates of competition in the sport of swimming shall exclude the following (see Figure 17-1):

[17.22.5.3-(a) through 17.22.5.3-(d) unchanged.]

“(e) Independents Championship. Competition in one championship meet among independent member institutions (i.e., institutions that are not members of an intercollegiate athletics conference), conducted at the end of the regular season and prior to the NCAA Championship;”

[17.22.5.3-(e) through 17.22.5.3-(h) relettered as 17.22.5.3-(f) through 17.22.5.3-(i), unchanged.]

S. Bylaws: Amend 17.23.5.3, pages 177-178, as follows:

[Division III]

“17.23.5.3 Annual Exemptions. The maximum number of dates of competition in synchronized swimming shall exclude the following (see Figure 17-1):

[17.23.5.3-(a) and 17.23.5.3-(b) unchanged.]

“(c) Independents Championship. Competition in one championship meet among independent member institutions (i.e., institutions that are not members of an intercollegiate athletics conference), conducted at the end of the regular season and prior to the national governing body championship;”

[17.23.5.3-(c) through 17.23.5.3-(g) relettered as 17.23.5.3-(d) and 17.23.5.3-(h), unchanged.]

T. Bylaws: Amend 17.24.5.3, pages 179-180, as follows:

[Division III]

“17.24.5.3 Annual Exemptions. The maximum number of dates of competition shall exclude the following (see Figure 17-1):

[17.24.5.3-(a) and 17.24.5.3-(b) unchanged.]

“(c) Independents Championship. Competition in one championship tournament among independent member institutions (i.e., institutions that are not mem-

bers of an intercollegiate athletics conference), conducted at the end of the regular season and prior to the national governing body championship;"

[17.24.5.3-(c) through 17.24.5.3-(g) relettered as 17.24.5.3-(d) and 17.24.5.3-(h), unchanged.]

U. Bylaws: Amend 17.25.5.3, page 182, as follows:

[Division III]

"17.25.5.3 Annual Exemptions. The maximum number of dates of competition in the sport of tennis shall exclude the following (see Figure 17-1):

[17.25.5.3-(a) through 17.25.5.3-(d) unchanged.]

"(e) Independents Championship. Competition in one championship tournament among independent institutions (i.e., institutions that are not members of an intercollegiate athletics conference), conducted at the end of the regular season and prior to the NCAA Championship;"

[17.25.5.3-(e) through 17.25.5.3-(h) relettered as 17.25.5.3-(f) through 17.25.5.3-(i), unchanged.]

V. Bylaws: Amend 17.26.5.3, page 184, as follows:

[Division III]

"17.26.5.3 Annual Exemptions. The maximum number of dates of competition in the sports of indoor and outdoor track and field shall exclude the following (see Figure 17-1):

[17.26.5.3-(a) through 17.26.5.3-(d) unchanged.]

"(e) Independents Championship. Competition in one championship meet among independent member institutions (i.e., institutions that are not members of an intercollegiate athletics conference), conducted at the end of the regular season and prior to the NCAA Championship;"

[17.26.5.3-(e) through 17.26.5.3-(h) relettered as 17.26.5.3-(f) through 17.26.5.3-(i), unchanged.]

W. Bylaws: Amend 17.27.10, page 187, as follows:

[Division III]

"17.27.10 Annual Exemptions. The maximum number of dates of competition in the sport of volleyball shall exclude the following (see Figure 17-1):

[17.27.10-(a) through 17.27.10-(d) unchanged.]

"(e) Independents Championship. Competition in one championship tournament among independent member institutions (i.e., institutions that are not members of an intercollegiate athletics conference), conducted at the end of the regular season and prior to the NCAA Championship;"

[17.27.10-(e) through 17.27.10-(h) relettered as 17.27.10-(f) through 17.27.10-(i), unchanged.]

X. Bylaws: Amend 17.28.8.3, pages 189-190, as follows:

[Division III]

“17.28.8.3 Annual Exemptions. The maximum number of dates of competition in the sport of water polo shall exclude the following (see Figure 17-1):

[17.28.8.3-(a) through 17.28.8.3-(e) unchanged.]

“(f) Independents Championship. Competition in one championship tournament among independent member institutions (i.e., institutions that are not members of an intercollegiate athletics conference), conducted at the end of the regular season and prior to the NCAA Championship;”

[17.28.8.3-(f) through 17.28.8.3-(k) relettered as 17.28.8.3-(g) through 17.28.8.3-(l), unchanged.]

Y. Bylaws: Amend 17.29.5.3, page 192, as follows:

[Division III]

“17.29.5.3 Annual Exemptions. The maximum number of dates of competition in the sport of wrestling shall exclude the following (see Figure 17-1):

[17.29.5.3-(a) through 17.29.5.3-(d) unchanged.]

“(e) Independents Championship. Competition in one championship tournament among independent member institutions (i.e., institutions that are not members of an intercollegiate athletics conference), conducted at the end of the regular season and prior to the NCAA Championship;”

[17.29.5.3-(e) through 17.29.5.3-(h) relettered as 17.29.5.3-(f) through 17.29.5.3-(i), unchanged.]

Source: California State University, Hayward; University of California at Santa Cruz; Colorado College; Thomas More College; Mills College; Philadelphia Biblical University; University of Dallas; Eastern Oregon University; Bard College; and Menlo College.

Effective Date: August 1, 2004

Rationale: Current legislation affords institutions that belong to intercollegiate athletics conferences an exemption from contest limitations for participation in conference championships. This exemption provides student-athletes with a culminating postseason competitive experience, regardless of whether the institution or the student-athletes are selected for NCAA championships competition. This proposal would establish a similar exemption and postseason competitive opportunity for student-athletes at independent institutions. Student-athletes at independent institutions should not be precluded from competitive opportunities, nor should institutions be placed at a disadvantage, solely by virtue of their independent status. This opportunity would be well received by administrators, coaches and student-athletes at independent institutions. In addition, the experience of student-

athletes at independent institutions would be enhanced significantly by providing a chance to compete in postseason competition similar to championships conducted by conferences. This proposal does not apply to fencing because the current legislation already allows one season-ending tournament, other than the NCAA fencing championship, to be exempted.

Committee Position (Management Council Playing and Practice Seasons Subcommittee): The NCAA Division III Management Council Playing and Practice Seasons Subcommittee supports the concepts presented in this proposal, provided the independent tournaments are conducted in a reasonable length of time (within one week) and conclude by the NCAA championships selection date for that sport.

Action: Adopted.

**NO. 70 (NO. 2-60) PLAYING AND PRACTICE SEASONS —
COACHING ACTIVITIES OUTSIDE THE
PLAYING SEASON**

Intent: To permit an institutional coaching staff member to engage in coaching activities when a student-athlete participates in an established national championship event or Olympic, Pan American, World Cup and World University games qualifying competition.

A. Bylaws: Amend 16.8.1.3 by adding new 16.8.1.3.1, page 119, as follows:

[Division III]

“16.8.1.3 Other Competition. During an academic year in which a student-athlete is eligible to represent an institution in athletics competition (or in the next summer), an institution may provide actual and necessary expenses related to participation in the following activities:

“(a) Established national championship events (including junior national championships);

“(b) Olympic, Pan American, World Championships, World Cup and World University Games qualifying competition.

“16.8.1.3.1 Involvement of Coaching Staff. An institutional coaching staff member may engage in coaching activities with a student-athlete during the particular event in which the student-athlete competes, regardless of whether the event occurs during or outside of the institution’s declared playing season. (See Bylaw 17.1.1.1.)”

B. Bylaws: Amend 17.1.1.1, page 128, as follows:

[Division III]

“17.1.1.1 Playing Season — Athletically Related Activities. The playing (i.e., practice and competition) season for a particular

sport is the only time within which a member institution is permitted to conduct athletically related activities (see Bylaw 17.02.1.1). **However, coaching staff members may engage in coaching activities with a student-athlete during the student-athlete's participation in events listed in Bylaw 16.8.1.3."**

Source: NCAA Division III Presidents Council [Management Council (Playing and Practice Seasons Subcommittee)].

Effective Date: August 1, 2004

Rationale: Currently, it is permissible for institutions to provide travel expenses for coaches to accompany student-athletes to these events, but it is not permissible for the coach to engage in coaching activities while attending the event if the event occurs outside of the institution's playing season. Some institutions choose to provide expenses to have a coach accompany a student-athlete to an event because of liability concerns. It is not realistic to expect coaches to attend these events and not engage in coaching activities. Further, it is in the best interest of the student-athlete welfare to allow coaching at these events. Finally, due to the limited amount of events included in Bylaw 16.8.1.3 and the stringent qualifying standards involved, coaches will not gain a significant competitive advantage by engaging in coaching activities at these events.

Action: Adopted.

**NO. 71 (NO. 2-66) PLAYING AND PRACTICE SEASONS —
EXCEPTION TO FIRST CONTEST DATE
— EXHIBITION CONTESTS —
BASKETBALL**

Intent: In basketball, to permit an institution to play an exhibition contest against either a Division I or II institution between November 1 and the first permissible contest.

Bylaws: Amend 17.5.3.1, pages 140-141, as follows:

[Division III]

"17.5.3.1 Exceptions. The following basketball contests (games or scrimmages) are permitted before the first contest dates specified under Bylaw 17.5.3:

[17.5.3.1-(a) unchanged.]

"(b) Basketball Hall of Fame Tip-Off Classic. An institution may play in the Basketball Hall of Fame Tip-Off Classic on or after November 1; *and*

"(c) Foreign-Team Games. The basketball contest exempted per Bylaw 17.5.5.3-(e) may be played on or after November 1 by an institution.; **and**

"(d) **NCAA Division I or II Institution. An institution may play one exhibition contest (which shall not count to-**

ward the institution's win-loss record) against a Division I or II institution between November 1 and the first permissible contest date."

Source: Wisconsin Intercollegiate Athletic Conference.

Effective Date: August 1, 2004

Rationale: This legislation would allow a Division III institution to play an exhibition contest against a Division I or II institution in basketball between November 1 and the first permissible contest date. Under the current provisions of Bylaw 17.5.3.1, Division III institutions are permitted to play in the Basketball Hall of Fame Tip-Off Classic and/or against a foreign team prior to the first permissible contest date. As permissive legislation, this proposal would simply allow for a Division III institution (should it choose to do so) to play an exhibition contest against a Division I or II institution in the same manner. While this contest would not count toward the institution's win-loss record, it would count toward the institution's maximum contest limitations for the year. Therefore, this legislation neither increases the number of allowable contests nor lengthens the playing and practice season in basketball. Further, playing such a contest against a Division I or II institution is a significantly more feasible and meaningful opportunity than that presented by most foreign teams. Most importantly, it would provide student-athletes with a very memorable experience.

Committee Position (Management Council Playing and Practice Seasons Subcommittee): The NCAA Division III Management Council Playing and Practice Seasons Subcommittee supports this proposal.

Action: Adopted.

**NO. 72 (NO. 2-68) PLAYING AND PRACTICE SEASONS —
TRACK AND FIELD — MAXIMUM
CONTEST LIMITATIONS — MULTI-DAY
EVENTS**

Intent: In track and field, to amend the maximum contest limitations for multi-day events, as specified.

Bylaws: Amend 17.26.5.1, pages 184-185, as follows:

[Division III]

"17.26.5.1 Maximum Limitations — Institutional. A member institution shall limit its total playing schedule with outside competition in the sport of indoor/outdoor track and field during the permissible indoor/outdoor track and field playing season to a maximum of 18 dates of competition (**which may include not more than four multi-day events that shall each count as a single date of competition**) *in indoor/outdoor track and field combined*, except for those dates of competition excluded under Bylaw 17.26.5.3. **An institution that participates in a**

meet that exceeds two days in duration may count the first two days of the competition as a single date of competition but must count any additional days as separate dates of competition.”

[17.26.5.1.1 unchanged.]

“17.26.5.2 Maximum Limitations — Student-Athlete. A student-athlete may participate in each academic year in not more than 18 dates of competition in indoor/outdoor track and field combined **(which may include not more than four multi-day events that shall each count as a single date of competition)**. This limitation includes those contests in which the student represents the institution, including competition as a member of the varsity, junior varsity or freshman team of the institution in accordance with Bylaws 17.02.4 and 17.02.8. **A student-athlete who participates in a meet that exceeds two days in duration may count the first two days of the competition as a single dates of competition but must count any additional days as separate dates of competition.”**

[17.26.5.3 through 17.26.5.5 unchanged.]

Source: Ohio Athletic Conference.

Effective Date: August 1, 2004

Rationale: There are a number of traditional track meets that require a multi-day format. If a student-athlete runs a preliminary heat on one day and qualifies for the finals the next day, the student-athlete and perhaps the institution are charged two dates of competition. In addition, combined-event competition, such as decathlons or heptathlons, must occur over a two-day period. Charging two dates of competition results in holding student-athletes out of future events, which is against the spirit and philosophy of Division III. Student-athletes in other NCAA divisions are given relief with numerous multi-day exemptions. Permitting just four multi-day exemptions is quite reasonable in Division III.

Committee Position (Management Council Playing and Practice Seasons Subcommittee): The NCAA Division III Management Council Playing and Practice Seasons Subcommittee supports this proposal.

Action: Adopted.